

91st Illinois General Assembly

Senate Transcript

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

PRESIDENT PHILIP:

The regular Session of the 91st General Assembly will please come to order. Will the Members please be at their desks? Will our guests in the galleries please rise? Our prayer -- our prayer today will be given by Pastor Jerry Doss, Abundant Faith Christian Church, Springfield, Illinois. Pastor Doss.

PASTOR JERRY DOSS:

(Prayer by Pastor Jerry Doss)

PRESIDENT PHILIP:

Please remain standing for the Pledge of Allegiance. Senator Radogno.

SENATOR RADOGNO:

(Pledge of Allegiance, led by Senator Radogno)

PRESIDENT PHILIP:

Reading of the Journal.

SECRETARY HARRY:

Senate Journal of Tuesday, February 22nd, 2000.

PRESIDENT PHILIP:

Senator Myers.

SENATOR MYERS:

Mr. President, I move that the Journal just read by the Secretary be approved, unless some Senator has additions or corrections to offer.

PRESIDENT PHILIP:

Senator Myers moves to postpone the reading and the approval of the Journal, pending the arrival of the printed transcript. There being no objections, so ordered. Senator Myers.

SENATOR MYERS:

Mr. President, I move that reading and approval of the Journal of Wednesday, February 23rd, in the year 2000, be postponed, pending arrival of the printed Journal.

PRESIDENT PHILIP:

1

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

Senator Myers moves to postpone the reading and the approval of the Journal, pending the arrival of the printed transcript. There being no objection, so ordered. Committee Reports.

SECRETARY HARRY:

Senator Hawkinson, Chair of the Committee on Judiciary, reports Senate Amendment 2 to Senate Bill 1231 Be Adopted; Amendment 1 to Senate Bill 1382, Amendment 2 to Senate Bill 1540, and Amendment 2 to Senate Bill 1567, all Be Adopted.

Senator Burzynski, Chair of the Committee on Licensed Activities, reports Amendment 2 to Senate Bill 1339 Be Adopted.

Senator O'Malley, Chair of the Committee on Financial Institutions, reports Amendment 6 to Senate Bill 1275 Be Adopted.

Senator Dillard, Chair of the Committee on Local Government, reports Amendment 1 to Senate Bill 1302, Amendment 2 to Senate Bill 1513, Amendments 1 and 2 to Senate Bill 1550, and Amendment 3 to Senate Bill 1577, all Be Adopted.

Senator Tom Walsh, Chair of the Committee on State Government Operations, reports Senate Amendment 1 to Senate Bill 1841 Be Approved for Consideration; and Amendment 2 to Senate Bill 1841 Tabled by the Sponsor.

Senator Mahar, Chair of the Committee on Environment and Energy, reports Amendment 1 to Senate Bill 1288 Be Adopted; Amendment 2 to Senate Bill 1391 and Amendment 2 to Senate Bill 1653, both Be Adopted.

Senator Cronin, Chair of the Committee on Education, reports Amendment 1 to Senate Bill 1446, Amendment 1 to Senate Bill 1447, and Amendment 1 to Senate Bill 1888, all Be Adopted.

Senator Parker, Chair of the Committee on Transportation, reports Amendment 2 to Senate Bill 1393 and Amendment 2 to Senate Bill 1588 Be Adopted.

And Senator Klemm, Chair of the Committee on Executive, reports Amendment 2 to Senate Bill 807, Amendment 2 to Senate Bill

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

1281, Amendment 1 to Senate Bill 1338, Amendment 1 to Senate Bill 1613, Amendment 1 to Senate Bill 1672, Amendment 1 to Senate Bill 1680, Amendment 1 to Senate Bill 1852, and Amendment 2 to Senate Bill 1923, all Be Adopted.

PRESIDENT PHILIP:

Message from the House.

SECRETARY HARRY:

Messages from the House by Mr. Rossi, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to wit:

House Bills 2888, 2899, 3112, 3169, 3309, 3319, 3355 and 3455.

We have a like Message on House Bills 3256, 3315, 3428, 3435, 3636, 3850, 3861, 3989, 3993 and 4043.

Another Message on House Bills 3968, 4030, 4089, 4092, 4138, 4341 and 4483.

And a Message on House Bills 3223, 3869, 4160, 4265, 4280, 4404 and 4953.

All passed the House, February 23rd, 2000.

A Message from the House by Mr. Rossi, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to wit:

Senate Bill 563, with House Amendments 1 and 2.

Passed the House, as amended, February 23rd, 2000.

PRESIDENT PHILIP:

Introduction of Bills.

SECRETARY HARRY:

Senate Bill 1948, offered by Senator Bomke.

(Secretary reads title of bill)

Senate Bill 1949, by Senator Dillard.

3

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

(Secretary reads title of bill)

And House {sic} Bill 1950, by Senator Welch.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDENT PHILIP:

May I have your attention for one minute? We're going to go to 2nd Readings, Recalls, and then 3rd Readings. And today will probably be the last day for 2nd Readings. So if you have amendments, you better have 'em filed. Senator Parker, for what purpose do you rise?

SENATOR PARKER:

For a point of personal privilege.

PRESIDENT PHILIP:

State your point.

SENATOR PARKER:

Thank you, Mr. President. I have two constituents up in the President's Gallery: Dick Boyer, from Glenview, and Bob Evans, from Glenview, and they're here on senior issues and Governor's issues also. And I'd like us to give them a warm welcome. Please stand up.

PRESIDENT PHILIP:

Will they please rise and be recognized by the Senate? We -- we have a request from a James Fribley of the A & M High School to film our proceedings. Is leave granted? Leave is granted. Senate Bills 2nd Reading, the top of page 2. Senate Bill 807. Senator Karpiel. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 807.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Executive adopted one amendment.

PRESIDENT PHILIP:

Have there been any Floor amendments that have been approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Karpel.

PRESIDENT PHILIP:

Senator Karpel, on Senate Bill 807.

SENATOR KARPIEL:

Thank you, Mr. President. Senate Bill 807, as amended, amends the Health Facilities Planning Act. It makes several changes. One, it raises the cap for the minimum -- the capital expenditure minimum for -- for major medical equipment. It exempts non-clinical services from the certificate of review -- certificate of need. It makes a minor change on Board membership. It -- it calls for an Auditor General study and it -- it has a sunset of -- a sunset date for the Board, and I ask for your approval.

PRESIDENT PHILIP:

Is there any discussion? Any discussion? All right. If not, all those in favor of Senate Bill 807, the Amendment No. 2, please -- those in favor, say Aye. Those opposed, Nay. The Ayes have it. The amendment is adopted. Any further Floor amendments?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 1281. Senator Myers. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1281.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Executive adopted one amendment.

PRESIDENT PHILIP:

5

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

Have there been any other Floor amendments that have been approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Myers.

PRESIDENT PHILIP:

Senator Myers, to explain the amendment.

SENATOR MYERS:

Thank you very much, Mr. President. Senate Bill 1281, as amended, amends the Agricultural Fair Act to exempt county fair departments and classes limited to junior exhibitors from the requirement that no department or class shall be awarded premiums in excess of thirty percent of the total premiums awarded by the fair from State funds. It extends the date that the county fair must file claims for money from the Premium Fund from June 15th to June 30th. States that appropriations from the Fair and Exposition Fund may only be used for financing agricultural, educational, trade and scientific exhibits. Only counties with at least a

twenty-year lease may use the funds for expenditures to purchase, building or maintenance of the fairgrounds. States that all counties receiving premium funds from the Fair and Expo Fund will continue to receive the same percentage of the funding stream as in FY'99. Clarifies population references in preparation for the 2000 census and makes other technical cleanups at the request of the U of I Extension. Senate Amendment 2 changes the funding allotments to county fairs from the Fair and Expo Fund from the proportions allocated in Fiscal Year '99 to the proportions allocated in Fiscal Year 2000.

PRESIDENT PHILIP:

Any further discussion? Any further discussion? If not, Senator Myers moves the adoption of Amendment No. 2 to Senate Bill 1281. All those in favor, signify by saying Aye. Those opposed, Nay. The Ayes have it. The amendment is adopted. Any other --

6

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

any further Floor amendments been approved for consideration?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDENT PHILIP:

3rd Reading. Senator Myers, for what purpose do you rise?

SENATOR MYERS:

Mr. President, a point of personal privilege.

PRESIDENT PHILIP:

State your point.

SENATOR MYERS:

Sitting with me today is the Director of the Committee on Racism for the American Indian Council, Mr. Tom Leonard.

PRESIDENT PHILIP:

Would you please rise and be recognized by the Senate? Senate Bill 1288. Senator Dillard. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1288.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT PHILIP:

Have there been any Floor amendments that have been approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Dillard.

PRESIDENT PHILIP:

Senator Dillard, to explain the amendment.

SENATOR DILLARD:

Thank you, Mr. President. This amendment just moves the fines for -- under this Section to a more appropriate Section of the statute. It makes no changes in the dollar amount. It just moves it from one Section of the statutes to the other. It's really technical in nature.

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

PRESIDENT PHILIP:

Any discussion? Any discussion? If not, Senator Dillard moves the adoption of Amendment No. 1 to Senate Bill 1288. All those in favor, signify by saying Aye. Those opposed, Nay. The Ayes have it. The Amendment No. 1 is adopted. Have there been any other further amendments been approved for consideration?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 1300. Senator Radogno. Take it out of the record. Senate Bill 1368. Senator Cronin. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1368.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 1391. Senator Radogno. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1391.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Environment and Energy adopted one amendment.

PRESIDENT PHILIP:

Have there been any other Floor amendments that have been approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Radogno.

PRESIDENT PHILIP:

Senator Radogno, to explain the amendment.

SENATOR RADOGNO:

8

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

Thank you, Mr. President. This amendment addresses some concerns raised by the industry that's impacted by this bill. It changes the trigger for the review of the fugitive particulate dust plan and it changes some wording that folks thought was vague, and we've substituted wording that's more specific. Thank you.

PRESIDENT PHILIP:

Is there any discussion? If there is any discussion? If not, Senator Radogno moves the adoption of Amendment No. 2 to Senate

Bill 1391. All those in favor, signify by saying Aye. Those opposed, Nay. The Ayes have it. The amendment is adopted. Any further -- any further Floor amendments that have been approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 1404. Senator Jones, W. Jones.
Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1404.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT PHILIP:

Have there been any Floor amendments been approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 1431. Senator Clayborne. Senator Clayborne. Take it out of the record, Mr. Secretary. Senate Bill 1447. Senator Cronin. Read the bill, Mr. Secretary.

SECRETARY HARRY:

SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

Senate Bill 1447.

(Secretary reads title of bill)

PRESIDENT PHILIP:

Have there been any other Floor amendments that have been approved for...

SECRETARY HARRY:

2nd Reading of the bill, Mr. President. There's no committee amendments. Floor Amendment No. 1 is offered by Senator Cronin.

PRESIDENT PHILIP:

Senator Cronin, to explain the amendment.

SENATOR CRONIN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Floor Amendment No. 1 simply replaces the word "shall" with "may". It was in response to some concerns that were raised in committee. We make it permissive, and it's not mandatory. Ask for your favorable consideration.

PRESIDENT PHILIP:

Any further discussion? Any further discussion? If not, Senator Cronin moves the adoption of Amendment No. 1 to Senate Bill 1447. All those in favor, signify by saying Aye. Those opposed, Nay. Ayes have it. The amendment is adopted. Have there been any other Floor amendments that have been approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 1453. Senator Radogno. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1453.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

10

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

PRESIDENT PHILIP:

3rd Reading. Senate Bill 1505 {sic}. Senator Bomke. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1504.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT PHILIP:

Have there been any Floor amendments that have been approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Bomke.

PRESIDENT PHILIP:

Senator Bomke, to explain Amendment No. 1.

SENATOR BOMKE:

Thank you, Mr. President. It's technical in nature. This amendment is requested by IDOT. The language validates all action taken by IDOT in the City of Springfield between the time the previous law expired, September 30th, 1999, and the effective date of this Act.

PRESIDENT PHILIP:

Is there any further discussion? Any further discussion? If -- if not, Senator Bomke moves the adoption of Amendment No. 1 to Senate Bill 1504. All those in favor, signify by saying Aye. Those opposed, Nay. The amendment is adopted. Are there any other Floor amendments been approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 1510. Senator Parker. Read the bill, Mr. Secretary.

SECRETARY HARRY:

11

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

Senate Bill 1510.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Public Health and Welfare adopted one amendment.

PRESIDENT PHILIP:

Have there been any Floor amendments that have been approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Parker.

PRESIDENT PHILIP:

Senator Parker, to expend -- explain the amendment.

SENATOR PARKER:

Thank you, Mr. President. It's a technical amendment and merely replaces the word "attitudes" with the word "awareness". I would ask for favorable consideration.

PRESIDENT PHILIP:

Any further discussion? Any further discussion? If not, Senator Parker moves the adoption of Amendment No. 2 to Senate Bill 1510. All those in favor, signify by saying Aye. Those opposed, Nay. The Ayes have it. The Amendment No. 2 is adopted. Is there any -- is there -- have there -- is there any more Floor amendments that have been approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 1540. Senator Cronin. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1540.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Judiciary adopted one amendment.

12

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

PRESIDENT PHILIP:

Have there been any other Floor amendments that have been approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Cronin.

PRESIDENT PHILIP:

Senator Cronin, to explain the amendment.

SENATOR CRONIN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This amendment was proposed and debated in committee. It simply clarifies that only paid phone solicitors must make the statement that the report is on file with the Attorney General. Also allows the court to consider whether the violator is a volunteer when fashioning relief. I ask for your favorable consideration.

PRESIDENT PHILIP:

Any further discussion? Any further discussion? If not, Senator Cronin moved the adoption of Amendment No. 2 to Senate Bill 1540. All those in favor, signify by saying Aye. Those

opposed, Nay. The Floor Amendment No. 2 is adopted. Have there been any other Floor amendments that have been approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 1550. Senator Tom Walsh. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1550.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT PHILIP:

Have there been any Floor amendments that have been approved

13

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Tom Walsh.

PRESIDENT PHILIP:

Senator Tom Walsh, to explain the amendment.

SENATOR T. WALSH:

Thank you -- thank you, Mr. President. Amendment No. 1 was at the request of the Local Government Committee, and it clarifies that the bill only applies to downstate forest preserve districts.

PRESIDENT PHILIP:

Any further discussion? Any further discussion? If not, Senator Walsh moves the adoption of Floor Amendment No. 1 to Senate Bill 1515 {sic}. All those in favor, signify by saying Aye. Those opposed, Nay. The amendment is adopted. Any further amendments, Mr. Secretary?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Weaver.

PRESIDENT PHILIP:

All right. Senator Walsh, to explain Amendment No. 2.

SENATOR T. WALSH:

Thank you, Mr. President. Amendment No. 2 adds further language authorizing the sale of liquor in a building owned by a Local Mass Transit District subject to the approval of the governing board of such district. There were some questions in committee as to whether or not -- whether or not they would have to go to the municipality for a license, and we have found out that they would still have to go to get a license from the mayor. So, that should clear -- clear up any of the concerns of the committee.

PRESIDENT PHILIP:

Further discussion? Further discussion? If not, Senator Walsh moves the adoption of Floor Amendment No. 2 to Senate Bill 1550.

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

All those in favor, signify by saying Aye. Those opposed, Nay.
The Ayes have it. Floor Amendment No. 2 is adopted. Any further
amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 1553. Senator Jacobs. Senate Bill
1553. Senator Jacobs. Take it out of the record. Senate Bill
1561. Senator Walsh. Read the -- read... Senator Walsh, for the
purpose of a motion.

SENATOR T. WALSH:

Thank you, Mr. President. I would like to table Senate Bill
1561.

PRESIDENT PHILIP:

That is always in order.

SENATOR T. WALSH:

Thank you.

PRESIDENT PHILIP:

All those in favor, signify by saying Aye. Those opposed,
Nay. Senate Bill 1561 is tabled. Senate Bill 1567. Senator
Silverstein. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1567.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Judiciary adopted one amendment.

PRESIDENT PHILIP:

Have there been any Floor amendments that have been approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Silverstein.

PRESIDENT PHILIP:

15

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

Senator Silverstein, to explain the amendment.

SENATOR SILVERSTEIN:

Thank you, Mr. President. The amendment requires incapacitated principals to be examined by a physician before they are deemed to be incapacitated. The bill also allows the agent to seek a court order requiring the complaining witness to reimburse the agent for reasonable attorneys' fees and other expenses by -- for providing the accounting disbursements.

PRESIDENT PHILIP:

Further discussion? Further discussion? If not, Senator Silverstein moves the adoption of Floor Amendment No. 2 to Senate

Bill 1567. All those in favor, signify by saying Aye. Those opposed, Nay. The Ayes have it. Floor Amendment No. 2 has been adopted. Any further amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 1588. Senator Molaro. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1588.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT PHILIP:

Have there been any Floor amendments been approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Molaro.

PRESIDENT PHILIP:

Senator Molaro, to explain the amendment.

SENATOR MOLARO:

Thank you, Mr. President, Members of the Senate. Senate

Amendment 2 tightens up the original legislation, makes it a tighter bill. The original bill gave the local school boards the authority whether or not to elect to use billboards -- small billboards - 2 by 6 - on the sides of school buses. What the amendment does is say that the school boards may elect, the school company may elect - it's not mandatory. It says that it would only be on Type I school buses. Instead of all school buses, it would have to be on the big Type I school buses. And also states that local school boards, if they decide to do this, would promulgate rules. That's what the amendment does.

PRESIDENT PHILIP:

Any further discussion? Any further discussion? If not, Senator Molaro moves the adoption of Floor Amendment No. 2 to Senate Bill 1588. All those in favor, signify by saying Aye. Those opposed, Nay. The Ayes have it. Floor Amendment No. 2 has been adopted. Has there been any further amendments?

SECRETARY HARRY:

No further amendments, Mr. President.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 1626. Senator Parker. Read the bill.

SECRETARY HARRY:

Senate Bill 1626.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Transportation adopted one amendment.

PRESIDENT PHILIP:

Have there been any Floor amendments that have been approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Parker.

PRESIDENT PHILIP:

17

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

Senator Parker, to explain the amendment.

SENATOR PARKER:

Thank you, Mr. -- thank you, Mr. President. At the request of the committee, the bill clarifies that a person may refuse to take a preliminary breath test. Also, the committee requested the amendment clarifying that drivers may refuse a pupillometer test. At the request of the Midwest Truckers, it specifies that the State Police officers shall have the pupillometer device readily available to limit undue delays. I would ask for favorable consideration.

PRESIDENT PHILIP:

Any further discussion? Any further discussion? If not, Senator Parker moves the adoption of Floor Amendment No. 2 to Senate Bill 1628 {sic} (1626). All those in favor, signify by saying Aye. Those opposed, Nay. The Ayes have it. Floor

Amendment No. 2 is adopted. Any further amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDENT PHILIP:

3rd Reading. Senator Karpiel, for what purpose do you rise?
Senator Rauschenberger. Senate Bill 1707. Oh, I'm sorry. I
skipped over one. Take it out of the record, Mr. Secretary.
Senate Bill 1655. Senator Parker. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1655.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 1707. Senator Rauschenberger. Read
the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1707.

18

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 1733. Senator Sieben. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1733.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Agriculture and Conservation adopted one amendment.

PRESIDENT PHILIP:

Have there been any Floor amendments that have been approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Sieben.

PRESIDENT PHILIP:

Senator Sieben, to explain Amendment No. 2.

SENATOR SIEBEN:

Thank you -- thank you, Mr. President. Floor Amendment No. 2, technical in nature to clean up the language to allow the Department to collect penalties and suspend a license from any person or entity for failure to pay any fee or penalty required by law. I'd move for its adoption.

PRESIDENT PHILIP:

Further discussion? Further -- Senator Demuzio.

SENATOR DEMUZIO:

...President, are -- are we on 1707 or 1733?

PRESIDENT PHILIP:

1733. You're -- thank you very much. We have...

SENATOR DEMUZIO:

Well, on 1707, didn't we file a fiscal note? The one that we just went by?

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

PRESIDENT PHILIP:

It's been answered. Further discussion? If not, Senator Sieben moves the adoption of Amendment No. 1 -- excuse me, Amendment No. 2 to Senate Bill 1733. All those in favor, signify by saying Aye. Those opposed, Nay. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 1841. Senator Walsh. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1841.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT PHILIP:

Have there been any Floor amendments that have been approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Tom Walsh.

PRESIDENT PHILIP:

Senator Walsh, please explain the amendment.

SENATOR T. WALSH:

Thank you, Mr. President. Amendment No. 1 is to -- this is the Audit Commission's bill. We had all of the findings for the various departments. We limited -- for the purposes of not being in violation of the single-subject matter, limited it to just the findings of one department and that is the Department of State Police. It clarifies the authority of the Department of Public Aid to access various data repositories available through the Law Enforcement Agencies Data System, and it makes various changes in statute to reflect the current organizational structure and

20

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

operating practice of the Department. Provides the FOID program is to be administered by the Division of Administration. And it provides the Department shall coordinate the State participation in a national central repository for dental records of missing persons.

PRESIDENT PHILIP:

Any further discussion? Any further discussion? If not, Senator Walsh moves the adoption of Amendment No. 1 to Senate Bill

1841. All those in favor, signify by saying Aye. Those opposed, Nay. The Ayes have it. Floor Amendment No. 1 is adopted. Any further amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 1851. Senator Maitland. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1851.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 1876. Senator Noland. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1876.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Agriculture and Conservation adopted one amendment.

PRESIDENT PHILIP:

Any further amendments that have been approved for consideration?

SECRETARY HARRY:

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

No further amendments reported.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 1885. Senator Maitland. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1885.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDENT PHILIP:

3rd Reading.

PRESIDING OFFICER: (SENATOR DUDYCZ)

For the Members' information, we will be going to the bottom of page 3, in the Order of Senate Bills 3rd Reading, for the purposes of recall. So we will be going through those bills on 3rd Reading that will be on recall and then we will be going further on the Calendar. On the top of page 4, in the Order of Senate Bills 3rd Reading, is Senate Bill 1231. Senator Dillard, do you wish this bill returned to 2nd Reading for purposes of an amendment? Senator Dillard seeks leave of the Body to return Senate Bill 1231 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1231. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Dillard.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This amendment represents an agreement between the Uniform Laws Commissioners and the Illinois Financial Institutions Coalition, and it is essentially a rewrite of Article 9 of the

22

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

Uniform Commercial Code regarding secured transactions, and this stems from a -- a study and a lot of work by the National Uniform Laws Commission. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Silverstein.

SENATOR SILVERSTEIN:

Yes. I have some questions for the sponsor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Silverstein.

SENATOR SILVERSTEIN:

Senator Dillard, since you're an expert on crop law, I just have some questions, for legislative intent. Does this bill

repeal existing provisions of Article 9 which permit the use of a real estate description to describe the crops that will serve as collateral for the loan?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

No, Senator Silverstein. Even though Section 108 does not specifically refer to a legal description, it states the general rule of reasonable collateral identification, which would include, in the case of crops growing and to be grown, a description by using the quarter section, section, township and range of the real estate concerned and the name of the record owner if other than the debtor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Silverstein.

SENATOR SILVERSTEIN:

One further question, sir. Does the bill require a secured party to describe collateral by using the make, model or serial number if that is available?

PRESIDING OFFICER: (SENATOR DUDYCZ)

23

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

Senator Dillard.

SENATOR DILLARD:

No, sir. The reasonable collateral identification rule of Section 108 only requires a description to do the job of identifying the collateral. Even in those instances when the secured party is not permitted to describe collateral by type, it is not referred to the make, model or serial number if that level of specificity is unnecessary to identify which property the debtor intended to pledge as collateral.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Silverstein.

SENATOR SILVERSTEIN:

Senator Dillard, can I ask you about the rule of perpetuities now?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Welch.

SENATOR WELCH:

I had a question of the sponsor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Welch.

SENATOR WELCH:

Senator Dillard, does this bill change the sequence of priorities for liens on crops?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

I do not believe it does, from current law.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Welch. Any further discussion? If not, all those in

favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further Floor amendments approved for consideration?

24

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1275. Senator O'Malley, do you wish this bill returned to 2nd Reading for the purposes of an amendment? Senator O'Malley seeks leave of the Body to return Senate Bill 1275 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1275. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 6, offered by Senator O'Malley.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley.

SENATOR O'MALLEY:

Thank -- thank you, Mr. President. Floor -- Senate Amendment No. 6, Floor Amendment No. 6, to Senate Bill 1275 deals with some

of the capital requirements that were in the original legislation, and the amendment represents some discussions that were had with the Department of Financial Institutions and some individuals who brought up the issue.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1276. Senator del Valle, do you wish this bill returned to 2nd Reading for the purposes of an amendment? Senator del Valle seeks leave of the Body to return Senate Bill 1276 to the Order of 2nd Reading for the purpose of an

25

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1276. Mr. Secretary, are there any -- any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator del Valle.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. This amendment was requested by Senator Radogno, and it simply states that on mailed assessment increase notices, the assessor shall state that individuals can represent themselves in the process.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any discussion? If not, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1302. Senator Geo-Karis, do you wish this bill returned to 2nd Reading for purposes of an amendment? Senator Geo-Karis seeks leave of the Body to return Senate Bill 1302 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1302. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the -- the Senate,

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

the amendment does two things. First, it corrects the database upon which this bill was drafted to show changes made in 1999 to Section 115-20. And second, the amendment makes uniform the two conflicting percentages, and it goes back to five percent of taxable property instead of 5.75 percent. And...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. The middle of page 5, in the Order of Senate Bills 3rd Reading, is Senate Bill 1338. Senator Maitland, do you wish this bill returned to 2nd Reading for the purposes of an amendment? Senator Maitland seeks leave of the Body to return Senate Bill 1338 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1338. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President and Members -- Members of the Senate. This amendment was -- was suggested in committee, that we tie a percentage of -- of the amount that the collectors could have from this fund, and the percentage that will be set will be set by administrative rule, subject to the Administrative Procedures Act. I think this meets the objections and I would move for the adoption, Mr. President.

27

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any -- is there any discussion? If not, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1339. Senator Burzynski, do you

wish this bill returned to 2nd Reading for the purposes of an amendment? Senator Burzynski seeks leave of the Body to return Senate Bill 1339 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1339. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Burzynski.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a technical amendment requested in committee. Establishes that exfoliation of the skin includes, but is not limited to, the process of microdermabrasion.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1382. Senator Silverstein. Senator

SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

Silverstein, do you wish this bill returned to 2nd Reading for the purposes of an amendment? Senator Silverstein seeks leave of the Body to return Senate Bill 1382 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1382. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Silverstein.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Silverstein.

SENATOR SILVERSTEIN:

Yes, Mr. President. As amended, this bill requires that persons convicted of a felony criminal defacement of a property shall receive a minimum of -- fine of five hundred dollars and shall be ordered to pay restitution to the victim for the actual costs of restoring the property.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1393. Senator O'Malley, do you wish this bill returned to 2nd Reading for the purposes of an

amendment? Senator O'Malley seeks leave of the Body to return Senate Bill 1393 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1393. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

29

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

Amendment No. 2, offered by Senator O'Malley.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Mr. President, Members of the Senate. What this amendment does is deal with an issue that was raised in committee by Senator Hawkinson. Sets some -- some objective standards about what chronic obstruction of a railroad crossing is and clarifies how it's reported to the State's attorney.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. On top of page 6, in the Order of Senate Bills 3rd Reading, is Senate Bill 1439. Senator Watson. Senator Watson, do you seek -- wish this bill returned to 2nd Reading for purposes of an amendment? Senator Watson seeks leave of the Body to return Senate Bill 1439 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1439. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 3, offered by Senator Watson.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Watson.

SENATOR WATSON:

Yes. Thank you, Mr. President. Amendment No. 3 is technical in nature. It came to us from the Members of the Revenue Committee. It changes the date by which we extend the research

30

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

and development tax credit from 2014, which was in the initial bill. There was some concerns about that, and we have now -- this

amendment takes it to 2010.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1440. Senator Lauzen. Senator Lauzen, do you wish this bill returned to 2nd Reading for purposes of an amendment? Senator Lauzen seeks leave of the Body to return Senate Bill 1440 to the -- to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1440. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Lauzen.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Lauzen.

SENATOR LAUZEN:

This is a technical amendment requested by Enrolling and Engrossing.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is -- is adopted. Any further Floor amendments approved for...

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1446. Senator O'Malley, do you wish

31

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

this bill returned to 2nd Reading for the purpose of an amendment?
Senator O'Malley seeks leave of the Body to return Senate Bill
1446 to the Order of 2nd Reading for the purpose of an amendment.
Hearing no objection, leave is granted. On the Order of 2nd
Reading is Senate Bill 1446. Mr. Secretary, are there any Floor
amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator O'Malley.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Mr. President, Members of the Senate. What this
amendment does is address an issue that was raised by the State
Board. It's a request to deal with clock hours for alternative
schools.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, all those in favor, say Aye.
Opposed, Nay. The Ayes have it, and the amendment is adopted.

Any further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1513. Senator Geo-Karis, do you wish this bill returned to 2nd Reading for purposes of an amendment? Senator Geo-Karis seeks leave of the Body to return Senate Bill 1513 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1513. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR DUDYCZ)

32

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, the amendment places a maximum cap on no-bid contracts which can be let in the -- in the event of an emergency affecting the public health or safety of the district. In such -- such cases, the

Board may contract for work without competitive bid up to two hundred and fifty thousand dollars, and the committee in which this bill was heard suggested that we put a cap and we've done so. And I ask for favorable...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further Floor amendments approved?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. On bottom of page 6, in the Order of Senate Bills 3rd Reading, is Senate Bill 1577. Senator O'Malley, do you wish this bill returned to 2nd Reading for the purposes of an amendment? Senator O'Malley seeks leave of the Body to return Senate Bill 1577 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1577. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 3, offered by Senator O'Malley.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Mr. President, Members of the Senate. This amendment adds -- it's the -- it's the Floor amendment to this

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

bill. What it does is add additional communities, sixteen additional communities, to be members of this and renames the -- the Authority to the Southwest Suburban Railroad Redevelopment Authority.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. On top of page 7, in the Order of Senate Bills 3rd Reading, is Senate Bill 1613. Senator Petka, do you wish this bill returned to 2nd Reading for purposes of an amendment? Senator Petka seeks leave of the Body to return Senate Bill 1613 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1613. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Petka.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Petka.

SENATOR PETKA:

Thank you very much, Mr. President, Members of the Senate. Senate Floor Amendment No. 1 to Senate Bill 1613 adds several minor changes to the underlying bill that were suggested during committee discussion last week. The amendments simply would -- would make this a better bill and I would urge its adoption.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any

34

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. On bottom of page 7, in the Order of Senate Bills 3rd Reading, is Senate Bill 1653. Senator Mahar, do you wish this bill returned to 2nd Reading for purposes of an amendment? Senator Mahar seeks leave of the Body to return Senate Bill 1653 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1653. Mr. Secretary, are there any

Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Mahar.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. -- Mr. President. This amendment is agreed-upon language negotiated by the Illinois Commerce Commission, and I would move its adoption.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. In the middle of page 8, in the Order of Senate Bills 3rd Reading, is Senate Bill 1672. Senator Klemm, do you wish this bill returned to 2nd Reading for the purposes of an amendment? Senator Klemm seeks leave of the Body to return Senate Bill 1672 to the Order of 2nd Reading for the purpose of an

79th Legislative Day

February 24, 2000

amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1672. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Klemm.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Klemm.

SENATOR KLEMM:

Yeah. Thank you, Mr. President. The amendment provides that the Office of Water Resources within DNR shall study the development, use and management of groundwater resources in the State, give the Governor and the General Assembly a copy of their report before January 1st of the year 2001. I ask for your support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1674. Senator Peterson, do you wish this bill returned to 2nd Reading for the purposes of an amendment? Senator Peterson seeks leave of the Body to return Senate Bill 1674 to the Order of 2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1674. Mr. Secretary, are

there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Peterson.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Peterson.

36

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

SENATOR PETERSON:

Thank you, Mr. President. Amendment 1 is a technical amendment which clarifies language, and it was proposed by the Department of Revenue.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1680. Senator Peterson, do you wish this bill returned to 2nd Reading for the purposes of an amendment? Senator Peterson seeks leave of the Body to return Senate Bill 1680 to the Order of 2nd Reading for the purposes of

an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1680. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Peterson.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President. Senate Bill 1680 deals with quick-take for municipalities. Those municipalities who've requested quick-take: The City of Northlake, the Fox Metro Water Reclamation District, Melrose Park, Stone Park, Village of Barrington, Elmwood Park, Franklin Park, Forest Park and St. Charles.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted.

37

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

Any further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. On the bottom of page 11, in the Order of Senate Bills 3rd Reading, is Senate Bill 1852. Senator Weaver, do you wish this bill returned to 2nd Reading for the purposes of an amendment? Senator Weaver seeks leave of the Body to return Senate Bill 1852 to -- to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1852. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Weaver.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. This would allow the Board of Trustees of the University of Illinois to create a research and technology park, very similar to the Medical Center Commission in the City of Chicago.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. The bottom -- bottom of page 12, in the Order of Senate Bills 3rd Reading, is Senate Bill 1888. Senator Philip wishes leave to return -- the Body to return Senate Bill 1888 to the Order of 2nd Reading for the purpose of an amendment. Hearing

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1888. Mr. Secretary, are there -- are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Philip.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin, for Senator Philip.

SENATOR CRONIN:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. Senate Floor Amendment No. 1 to Senate Bill 1888 creates the Office of the Illinois Educational Inspector General. This officer shall have the authority to conduct investigations into allegations or incidents of waste, fraud, and financial mismanagement in public education grades pre-K through twelfth grade. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, all those in favor, say Aye. Senator Welch, what purpose do you rise?

SENATOR WELCH:

I'd like to ask a question of the sponsor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Welch.

SENATOR WELCH:

Senator, I'm not on the Education Committee. This is -- creates an inspector for every school district in the State? And if so, who pays for it and how much will it cost?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin.

SENATOR CRONIN:

There's only one Office of Inspector General, and it would be under the auspices of the State Board -- or, in conjunction with the State Board, independent of their operation, however. And

39

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

they would be given -- I think it's a five-hundred-thousand-dollar-a-year budget to conduct these investigations into waste, fraud, and financial mismanagement.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Welch.

SENATOR WELCH:

Well, most -- well. So, the inspector general will send out auditors to various schools and eventually they will hit every

school district in the State of Illinois, is that the plan?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin.

SENATOR CRONIN:

I think the -- the plan is that they -- the -- the State Board -- or -- there needs to be some entity to respond to allegations of fraud or mismanagement of money. I think that this entity would therefore be a responsive agency, and it is not incumbent upon them to look into every school district in the entire State. But as you know, Senator Welch, we've created inspector generals in the past. There's an inspector general that works quite well at DCFS, the Department of Public Aid and Department of Human Services and in the Chicago public schools. And I think, with the money and the commitment and the recognition that education is a priority by this Legislature, it seems in order that -- that there be this tool.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Welch.

SENATOR WELCH:

The -- the auditor would respond to a complaint from an individual citizen or just from the school itself or from a legislator? Could anybody complain and have them look into it?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin. Senator Cronin.

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

SENATOR CRONIN:

Senator Welch, your question is a good one. The intent is that they would respond to allegations and complaints, and the -- the source, I think, it would be my intent, based on conversations with Senator Philip, that it would be a credible source. I think there would have to be some certain amount of discretion because, you know, this is an office with limited resources, and I think that we would have to make sure that they respond to credible complaints or allegations of -- of -- of fraud or mismanagement, that they prioritize their -- their focus and that -- and that, as they develop rules, I suppose we would try to be more specific.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Welch.

SENATOR WELCH:

I would just be worried that somebody could make a charge during a campaign. If there's a slate of candidates for the school board -- I think this probably happens in your area. You have slates more than we do in downstate. But one slate makes a charge against the other and makes a big issue out of -- out of it, to see who actually could make the charges, but if it's in a political campaign, anybody can make charges, as you know. So that's -- that would be my concern. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, all those in favor, say Aye.

Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. On the bottom of page 12, in the Order of Senate Bills 3rd Reading, is Senate Bill 1923. Senator Weaver, do you wish this bill returned to 2nd Reading for -- for the purpose of

41

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

an amendment? Senator Weaver seeks leave of the Body to return Senate Bill 1923 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1923. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Weaver.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President and Members of the Senate. This bill would allow the trustees of the University of Illinois to sell

some farmland in Kankakee County and Champaign County and a building in the south -- in Chicago in order to provide the funds to buy additional farmland south -- on the south campus in Urbana and also to relocate a warehouse in the -- in the campus at Chicago. So, retain these funds in order to do this. Any funds left over from the development would be returned to GRF.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. We will now be going to the Order of Senate Bills 3rd Reading. We will be picking up those bills who have not been -- those bills which have not been amended this morning. So at the bottom of page 3, on the Order of Senate Bills 3rd Reading, is Senate Bill 334. Senator Burzynski. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 334.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill has been amended. That restores an important economic development incentive that was inadvertently removed from the statutes when the General Assembly passed the utility dereg bill in 1998. And this deals with high-impact businesses. Be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 334 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. And Senate Bill 334, having received the required constitutional majority, is declared passed. Bottom of page 3, in the Order of Senate Bills 3rd Reading, is Senate Bill 649. Senator Burzynski. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 649.

(Secretary reads title of bill)

2nd -- or, 3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 649 calls for a moratorium on human cloning until the year 2005. Obviously, there's been a lot of discussion in the

43

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

State of Illinois, as well as the United States, over the last several years relative to human cloning. With the advent of several advances in technology over the last couple of years, we feel that this bill is merited.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, all those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, 1 Nay and none voting Present. And Senate Bill 649, having received the required constitutional majority, is declared passed. Top of page 4, in the Order of Senate Bills 3rd -- Senator Obama, what purpose do you rise?

SENATOR OBAMA:

Just wanted to let Senator Burzynski know that I pressed the wrong button by accident. I'd like to be recorded as a Yes vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Record will reflect your intent, Senator Obama. On the top of page 7 -- top of page 4, in the Order of Senate Bills 3rd Reading, is Senate Bill 742. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 742.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

WFLD-Fox 32 has requested permission to record the proceedings. Hearing no objection, leave is granted. Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. Senate Bill 742 creates the Spinal Cord Injury Paralysis Cure Research Trust Fund. In the original bill, as introduced, it had in there fees on -- on traffic

44

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

violations, et cetera, as a revenue fund for -- for this trust fund; however, that has been removed. So if you're looking up there and you see circuit clerk fee, that is no longer in the bill. This -- the trust fund is subject to appropriation. It -- it creates this fund. The Department of Public Health shall make

grants to Illinois research facilities to conduct research to find a cure for spinal cord injury paralysis. And I believe you all have had this put on your desk. I had it distributed because this was in our paper recently, and it shows that they are making some great strides and significant progress in finding a cure for spinal cord injury paralysis. And I'd ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 742 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. And Senate Bill 742, having received the required constitutional majority, is declared passed. Senate Bill 1248. Senator Shadid. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

Senate Bill 1248.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Shadid.

SENATOR SHADID:

Thank you, Mr. Chairman. This Senate Bill 1248, as amended, reinstates the Fire Equipment Distributor and Employee Regulation Act, which sunset December 31, 1991 {sic}. Senate Bill 1248, as introduced, will extend that repeal date from December 31, 1999 to January 1, 2010. I would appreciate a favorable vote.

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1248 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. And Senate Bill 1248, having received the required constitutional majority, is declared passed. Senate Bill 1271. Senator Klemm. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1271.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Klemm.

SENATOR KLEMM:

Yes. Thank you, Mr. President. Senate Bill 1271 actually is a shell bill, but it's to do the Tobacco Settlement Distribution Act. As you know, we're in negotiations and we'll be working on that. There's a couple other bills we'll be having. This is one of them that we'll be needing, and it's going over to the House and

will be coming back. So I do ask for your support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Welch.

SENATOR WELCH:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Welch.

SENATOR WELCH:

Senator Klemm, the Governor apparently has started spending some of the money in the Tobacco Settlement Fund. We've had a couple of bills in Appropriations where it looks like some of the

46

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

money is being spent. And will this bill encompass, when it's written, those expenditures from the fund?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Klemm.

SENATOR KLEMM:

Well, I don't think -- I don't think the Governor's spent any money. He may be asking to budget it. This probably would give the authority, if we agree to that, and that certainly will be through negotiation by both, you know, sides of the aisle.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Welch.

SENATOR WELCH:

One of the questions keeps coming up in the committee is the Governor has a initiative for Internet start-up companies, investing venture capital. Is there any intent to use any of this money for that?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Klemm.

SENATOR KLEMM:

Well, I don't think we've decided what -- how that money's going to be used. There's four caucuses that are going to be working on this. This is just a vehicle to be -- it is one of those when we decide. So I don't think there's anything in concrete in anything right now, no.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, the question is, shall Senate Bill 1271 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. And Senate Bill 1271, having received the required constitutional majority, is declared passed. Senate Bill 1277. Senator Philip.

SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

Senate Bill 1277.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1277 will create the checkoff for the WW II War Memorial. We passed it last year, you'll remember. I think it was unanimously. It got over to the Illinois House and was hijacked by the Governor's Office, and that bill did become Illinois First, if you'll remember. It's something we ought to do. WW II does not have a war memorial in Washington, D.C., and that's what this money will go towards. I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1277 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. And Senate Bill 1277, having received the required constitutional majority, is declared passed. In the middle of page 4, in the Order of Senate Bills 3rd Reading, is Senate Bill 1278. Senator Klemm. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1278.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Klemm.

48

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

SENATOR KLEMM:

Thank you, Mr. President. Senate Bill 1278 addresses a discrepancy in the Health Facilities Planning Act that really originally only required facilities licensed pursuant to Illinois laws to be under the jurisdiction of the Planning Board. We found out that out-of-state entities and physician groups that are for -- foreign-owned hospitals or ambulatory surgical treatment centers would not have to go through the Planning Facility, would not have to get a certificate of need, and this would just leave the playing field as -- level so that our Illinois corporations and foreign corporations could compete fairly and not give disadvantage to the foreign organizations. So I ask for your support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1278 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. And Senate Bill 1278, having received the required constitutional majority, is declared passed. Senate Bill 1283. Senator Philip. Out of the record. Senate Bill 1291. Senator Geo-Karis. Madam Secretary, on Senate Bill 1291, read the bill, please.

ACTING SECRETARY HAWKER:

Senate Bill 1291.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, this

less than five hundred thousand and not more than eight hundred thousand, Department of Transportation may grant a lease of land or property to a governmental unit for a period of not longer than twenty-five years. I ask for its favorable approval.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1291 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, 1 Nay, no voting Present. And Senate Bill 1291, having received the required constitutional majority, is declared passed. Senate Bill 1295. Senator Jacobs. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1295.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1295 requires each public university to include on an undergraduate's tuition bill a consent form that permits the student to certify in writing that the student consents to having a copy of his or her educational records released to a person designated by that student. It provides that a student may choose not to sign such a consent form, thereby refusing to have his or her educational reports released. Provides that educational

records shall be released by the university to the individual listed on the consent form upon that person's request. I ask for

50

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1295 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. And Senate Bill 1295, having received the required constitutional majority, is declared passed. Senate Bill 1296. Senator Bowles. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

Senate Bill 1296.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Bowles.

SENATOR BOWLES:

Thank you, Mr. President. Senate Bill 1296 provides that all

property used exclusively for public library purposes belonging to any library system established under the Illinois Library System Act or belonging to a public library district established under the Public Library District Act of 1991 is exempt from taxation. It amends the State Mandates Act to require implementation without reimbursement. There has been some little question, due to an Attorney General's opinion, that this bill will clarify and, most particularly, that property that is owned by library systems or library districts that are not included in the list of exemptions for properties are now to be included. It's a clarification of the Library Act, and I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1296 pass. All those in favor will vote Aye. Opposed will

51

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. And Senate Bill 1296, having received the required constitutional majority, is declared passed. Senate Bill 1304. Senator Lauzen. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

Senate Bill 1304.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. Senate Bill 1304: if a member of the reserves of the armed forces of the United States has property taxes and they're called up for active duty, the soldier shall not be deemed to be delinquent on payment of an installment; no interest shall accrue or be charged as a penalty on the installment until thirty days after that member returns to civilian status.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Welch.

SENATOR WELCH:

I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Welch.

SENATOR WELCH:

Senator Lauzen, during the committee, I raised a question about notification as to when the veteran was back. Was there any Floor amendment or -- put on this?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Lauzen.

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

SENATOR LAUZEN:

There -- thank you very much for the question. And we did look up the answer to that question. And they have -- there's a mechanism in place at the local level that follows on page 4, line 17 through 24, of the existing law. They have something in place already for members of the National Guard and members of the armed forces. So that is in place, and we did check it. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, the question is, shall Senate Bill 1304 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. And Senate Bill 1304, having received the required constitutional majority, is declared passed. Bottom of page 4, in the Order of Senate Bills 3rd Reading, is Senate Bill 1307. Senator O'Malley. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

Senate Bill 1307.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1307 eliminates from the computation of income, in the case of the senior tax -- tax freeze, the -- the benefits that veterans get paid, including their disability benefits. I'd request your support and be happy to answer any questions...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1307 pass. All those in favor will vote Aye. Opposed

53

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. And Senate Bill 1307, having received the required constitutional majority, is declared passed. Top of page 5, in the Order of Senate Bills 3rd Reading, is Senate Bill 1310. Senator Watson. Senate Bill 1316. Senator Geo-Karis. Senate Bill 1317. Senator Maitland. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

Senate Bill 1317.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. Senate Bill 1317, the bill before us, would -- would prevent the overall governing authority from raiding the fund in a county that was dedicated to developmental disabilities under the property tax cap. It does not exempt the fund from the property tax cap, but it simply says to the counties that you can't -- you can't raid that fund in order to transfer money elsewhere. Senator Klemm had a similar bill last year that affected mental health boards, and this affects those counties that have a levy for -- developmental disabilities. I would -- would seek support of the Body.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1317 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. And Senate Bill 1317, having received the required

79th Legislative Day

February 24, 2000

constitutional majority, is declared passed. Senate Bill 1323.
Senator Burzynski. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

Senate Bill 1323.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

Mr. President, Ladies and Gentlemen of the Senate, Senate Bill 1323 amends the Dental Practice Act to make three changes. Allows dental hygienists to administer local anesthetics. Defines an impaired dental hygienist. Provides guidelines and procedures for the removal of an impaired dental hygienist. Be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. This bill was discussed in Licensed Activities. It's coming out in a fine form, and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, the question is, shall Senate Bill 1323 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present.

And Senate Bill 1323, having received the required constitutional majority, is declared passed. Senate Bill 1330. Senator Lauzen. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

Senate Bill 1330.

55

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Lauzen.

SENATOR LAUZEN:

Senate Bill 1330 amends the Franchise Disclosure Act by changing the amount of time required after the delivery of a disclosure statement and the proposed franchise sales agreement from fourteen business days to fourteen calendar days before consideration may be received. There's no known opposition.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1330 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the

record. On that question, there are 59 Ayes, no Nays, none voting Present. And Senate Bill 1330, having received the required constitutional majority, is declared passed. Senate Bill 1332. Senator DeLeo. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

Senate Bill 1332.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator DeLeo.

SENATOR DeLEO:

Thank you, Mr. -- thank you, Mr. President, Members of the Senate. Senate Bill 1332 amends the Rights of Crime Victims and Witnesses Act. It expands the definition of a -- violent crime and crime victims to include violations of Controlled Cannabis {sic} Act. This will allow victims of violent crimes which are charged under the Controlled Cannabis Act -- or, the Controlled

56

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

Substances Act to make a victim impact statement and to receive, upon request, notification of the defendant's escape or release from prison. There's been some concerns about this legislation.

Senator Petka and I have talked. We're going to have some language, technical language, in an amendment in the House adopted to this bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1332 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. And Senate Bill 1332, having received the required constitutional majority, is declared passed. Middle of page 5, in the Order of Senate Bills 3rd Reading, is Senate Bill 1340. Senator Syverson. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

Senate Bill 1340.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. President. Senate Bill 1340 is a -- is a shell bill. It -- it has to do with the SDU unit and child support. We are currently waiting for the Auditor General's report to come back, and so we do not have any agreed language or any proposed language. So we'd like to keep this alive and move it over to the House.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1340 pass. All those in favor will vote Aye. Opposed

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

will vote Nay. The voting is open. Have all voted who wish?
Have all voted who wish? Have all voted who wish? Take the
record. On that question, there are 59 Ayes, no Nays, none voting
Present. And Senate Bill 1340, having received the required
constitutional majority, is declared passed. Senate Bill 1341.
Senator Syverson. Senate Bill 1376. Senator Dillard. Madam
Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

Senate Bill 1376.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate.
This bill came to me from the Downers Grove Sanitary District to
help them recover costs in certain circumstances. And the
legislation would affect and -- and charges that a property owner
would incur if they made a -- you know, had to have a special
assessment, special taxation or other tax notice in the newspaper,

that the sanitary district could charge for the actual cost, as opposed to ten cents for each parcel of property that has to be advertised for. It's a minor change. It cannot exceed 0.02 percent of the property's assessed value, but I think we all know it costs more than ten cents a lot to advertise in your general circulation newspaper and this would help them recoup some of the cost for advertising for delinquent taxpayers. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Larry Walsh.

SENATOR L. WALSH:

Thank you, Mr. President. I stand in support of this bill.

58

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

We discussed -- discussed the issue in committee, and Senator Dillard explained it very well. So, I stand in support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, the question is, shall Senate Bill 1376 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, 2 Nays, none voting Present. And

Senate Bill 1376, having received the required constitutional majority, is declared passed. Senate Bill 1397. Senator Bowles. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1397.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Bowles.

SENATOR BOWLES:

Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Bowles.

SENATOR BOWLES:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. No, it's okay, Bill. Senate Bill 1397 deals with a subject that has been the subject of much conversation in the last few days. First, before we start, I would like to preface any remarks I make with this statement: I'd like to say that no one - no one - in this Chamber or in the Chamber of the House supports any type of promotion of drugs. We are extremely sensitive to any attempt on anyone's part to try to increase drug availability. This, my friends, is not about an hallucinogenic drug. This legislation is about industrial hemp, which is a distinct variety of the plant

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

species *Cannabis sativa* L. and which contains a very low level of THC. We're not talking about planting hemp; we're talking about studying hemp at the university level. We would like the U of I and Southern Illinois University ag departments to embark upon a study to determine the feasibility and the desirability of industrial hemp production in the State and to analyze seed varieties that have low levels of THC or no level at all. A year ago I introduced a resolution to establish a task force that would study industrial hemp and make a determination of the viability of reintroducing this fiber back into the agricultural sector. Our farmers are struggling to make ends meet and have been looking for an alternative crop to help them get back on the track financially. Canadian hemp cultivation is in its fifth year, with 1998 being the first year that commercial licenses were issued. In the early 1990s, Canadian farmers began their campaign to reintroduce industrial hemp, and in 1998, two hundred and forty-six licenses were granted to cultivate industrial hemp from a pool of three hundred and forty-six applicants, and it covered roughly six thousand acres of industrial hemp production. In 1999, Health Canada received seven hundred and fifteen applications for licenses to cultivate industrial hemp, and six hundred and seventy-four licenses for cultivation, for about thirty-five thousand acres of industrial hemp. Industrial hemp can be categorized in four primary areas. First primary area is the

primary fibers are long fibers that can be spun and woven into a fine, crisp, linen-like fabric and used for apparel textiles, home-furnishing textiles, carpeting. It's anti-mildew and antimicrobial. Its properties make it very suitable for sails, tarps, awnings and floor coverings. Number two is the core fiber. It's derived from the sturdy, wood-like, hollow stalk of the hemp plant, and it's referred to as hurd - H-U-R-D. It's twice as absorbent as wood chips, making it an excellent animal bedding and

60

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

garden mulch. It can be easily blended with lime to create lightweight concrete or plaster. Because of its high cellulose content, it can be applied to the manufacturing of plastics, which, like the primary fiber, is biodegradable and possesses anti-mildew and antimicrobial properties. This material is presently being used in the automobile manufacture -- automotive/aeronautical manufacture. It's being used for concrete production. The third aspect of it is the -- the seeds - I'm sorry - contain between twenty-five and thirty percent oil and twenty-five percent protein. The hemp seed has eight essential amino acids and three essential fatty acids. This can be ground up and used in soup, cereals, cakes and other foods. Raw hemp

seed has been commonly used as a feed for domestic animals as well. And the next time you go to your hairdresser or your barber, ask if any of their products are made of hemp. You'll be surprised that many of these base elements in hair products are hemp. And each of you has been given a little sample of a hand lotion that has hemp oil in it, and if you rub a little bit on your hand, you'll smell the cleanliness and the essence of it. And number four, the oil which is pressed from the industrial hemp seed. Hemp oil is low in saturated fats, at eight percent of total oil volume. Thank you. Canola oil, which is touted as an excellent source of unsaturated fat contains six percent. Oil extracted from the seed can be used for paints, varnishes, cooking, or as a fuel for heat, and in lubricants, cosmetic products, personal care products and other formulated consumer products. This has absolutely -- and I -- again, I want to emphasize, this has absolutely nothing to do with the medicinal or psychotropic elements that are contained in common marijuana. We're -- we are not, in any way - not, in any way - attempting to legalize a drug. We all know that industrial hemp is one of the oldest products used for textile and cooking, and industrial hemp

61

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

was a staple crop in the American colonies and grown on the plantations of President Washington and Jefferson. It's been associated with some significant aspects of American history. The -- the paper on which the first copy of the U.S. Declaration of Independence was written was hemp paper. Betsy Ross' first American flag was hemp cloth. Henry Ford's early automobiles used hemp in the body structure. And incidentally, the first Levi jeans were made from hemp cloth. In 1937, the U.S. prohibited the cultivation of cannabis, the species name for hemp, with the -- with the Marihuana Tax Act of 1937 because of the government's fear of the plant's psychoactive substances. With the onset of World War II, the U.S. desperately needed a viable fiber crop to be used in the manufacture of clothing, roping and tents. The ban on hemp was temporarily lifted to meet military needs. Since hemp could be adapted to grow throughout the Corn Belt, Illinois hemp production flourished during World War II. It can be grown in a wide variety of soils and much of Illinois has the appropriate soil for industrial hemp growth. We're trying, through this effort, to save the farming interests by sowing the seeds of change. Hawaii is -- is currently planting industrial hemp and thirty-three other countries, including, Senator Dudycz, the Ukraine.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I think the sponsor has a very good point, and our farmers are suffering. And the fact that hemp may have been used for marijuana, I'm sure that can be well policed. The farmers can raise more hemp and

sell more hemp. After all, we make rope from hemp and there are a lot of other good things that can come from it. So we shouldn't limit ourselves and say, "Well, you know, you can make marijuana

62

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

out of that." So what? It can be policed well so that we can make something that's worthwhile and help our farmers. And I think it's time that we took a -- an active step in this direction. I'm sure that Senator Bowles enumerated it very well, and I ask for a favorable vote, and I'm going to be supporting it.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Sieben.

SENATOR SIEBEN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I just rise to commend the sponsor for taking the lead on this issue. I think, you know, it's tough taking an issue like this where, you know, it can be subject to a little bit of snickering and -- and things like that and have a little fun with the issue because of the relationship to marijuana, but it is an important alternative crop. It's a renewable resource, just like all of us like to be in support of ethanol. For the same reasons we argue in favor of -- of ethanol being a benefit to this State, and

Illinois is an agricultural state, you can argue those same -- make those same arguments for the reason we ought to allow our universities to do a very limited agronomic research project on industrial hemp. Senator Bowles has done an outstanding job of describing all the different products and uses for this -- this very good crop. And I think the task force that looked at the -- at the issue last year had three meetings. They addressed the law enforcement questions: how to identify this crop from -- from marijuana, and those kind of things. They looked at what would be required to move forward this project, and I just think the time has come. In an agricultural state like -- like Illinois, we ought to vote in favor of authorizing the university to conduct the next step, which is legitimate agronomic research on the viability of this crop in the State of Illinois. Now, the wild marijuana that grows in many of our districts, along Interstate

63

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

80, for example, the reality of that is, because it has backcrossed with industrial hemp, the THC level in most of the wild hemp or marijuana growing in this State really has no hallucinogenic value. And you can talk to the law enforcement people. It gets cut. People go out and try to harvest that and

they find out that it really has no value. Maybe a little of it can be used as a cutting agent to blend with -- with good-quality marijuana, but it's really not the issue here. The issue is, let's study this crop, let's see what it takes, let's be in position to give our farmers another choice to produce a very economically viable crop in the State of Illinois. And again, I commend Senator Bowles for her leadership on the issue.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Lauzen.

SENATOR LAUZEN:

A question for either of the sponsors. Have -- has the Attorney General or any of the law enforcement agencies taken a position on the legislation?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Bowles.

SENATOR BOWLES:

No. I have not been advised of any position by the Attorney General's Office, nor the law enforcement. This -- the thing -- the whole point of this legislation is this, and I think that Senator Sieben pointed it out, and if I could just reemphasize the fact: This is to allow study - study - not legalize this thing, not go out and plant two hundred and fifty or three hundred acres of industrial hemp. This is to allow the University of Illinois Ag Department, the -- Southern Illinois University Ag Department to do a two-year study - a two-year study - to study all of the aspects of industrial hemp growth, to genetically reduce the THC to zero, which is possible, because France now has it - zero THC.

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

But keep in mind when you're voting, please, that this is to allow us to do a study. At the last count, sixteen states were looking into the possibility. And since -- since agriculture is our greatest industry in the State of Illinois, let's do a study to find out how we can help that -- that industry. Thank you very much.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further -- any further discussion? If not, the question is, shall Senate Bill 1397 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 49 Ayes, 9 Nays, none voting Present. And Senate Bill 1397, having received the required constitutional majority, is declared passed. Senate Bill 1411. Senator Watson. Senate Bill 1421. Senator O'Malley. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

Senate Bill 1421.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1421 creates the Data Processing Services for Financial Institutions Act. Specifically, it provides that if a financial institution contracts with an independent data processor and the contract requires an interface of communications, data or systems with a second independent data processor, the second service provider shall permit the interfacing agreement to be effected. The interface agreement must contain commercially reasonable fees and charges, executed with reasonable promptness,

65

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

and not be frustrated by undue delay or bad faith. In the event of any dispute as to the terms, it would be agreed to be decided by binding arbitration. I'd be happy to answer any questions there may be.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1421 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the

record. On that question, there are 59 Ayes, no Nays, none voting Present. And Senate Bill 1421, having received the required constitutional majority, is declared passed. Bottom of page 5, on the Order of Senate Bills 3rd Reading, is Senate Bill 1422. Senator O'Malley. Madam -- Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1422.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. What Senate Bill 1422 does is permit savings and loans and savings banks, as well as their service corporations, to be organized as limited liability companies.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1422 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. And Senate Bill 1422, having received the required

SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

constitutional majority, is declared passed. Top of page 6, in the Order of Senate Bills 3rd Reading, is Senate Bill 1426. Senator Dillard. Senate Bill 1444. Senator Dillard. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

Senate Bill 1444.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The board is off, but this is Senate Bill 1444. And it creates the Arthur F. Quern Information Technology Grant Program, which will provide need-based grants up to twenty-five hundred dollars for two years to qualified students -- qualified students who are pursuing certification or a degree in the information technology field. Many of you may remember Art Quern. Art was Governor Jim Thompson's Chief of Staff. He was the former outstanding Chairman of the Illinois Board of Higher Education, who tragically died in an airplane crash at Palwaukee Airport. There are eighteen thousand people that we are short in the information technology field in Illinois, and having these grants, especially ones that will allow people with bachelor's degrees to be retrained in information technology, is very much needed. The money for this program is contained in Governor Ryan's budget for

this year, and this is a great tribute to a great man and a well-needed program. Art Quern.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Obama.

SENATOR OBAMA:

Will the sponsor yield for a question?

67

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Obama.

SENATOR OBAMA:

Senator Dillard, this looks like a terrific idea. I just wanted to be clear on eligibility for the grants, to make sure that, in fact, students from throughout Illinois would be eligible. Could -- could you describe those provisions for me?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

Eligible applicants, Senator, must be a resident of the State of Illinois and a citizen or a permanent resident of the United States and must be enrolled in an undergraduate program of information technology related study, as determined by the Board

of Higher Education, at a qualified Illinois institution of higher learning. Recipients will be selected based on financial need, as determined by ISAC.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Obama.

SENATOR OBAMA:

Just sticking with this issue just for a second, do we have some sense that the eligible programs would include institutions, for example, like Chicago State University up in Chicago? I mean, do we know that these kinds of programs exist in all State institutions? That's one question. And the second question is: Do community colleges also have the sorts of programs that potentially would make students eligible?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

It depends, Senator Obama. And -- and I do believe Chicago State would certainly be qualified for this. It's going to depend

68

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

on the rules that are promulgated by the Illinois Board of Higher Education. And again, it also depends upon whether there's an

undergraduate program of information technology related study. I don't think that necessarily means there must be a major in technology, but I can't foresee of any public university in Illinois that would not have some type of eligibility for training or retraining students in information technology. There's a shortage of eighteen thousand of these workers, and I think this will be rather broad-based. I do not have, Senator, the -- the answer to your question on community colleges. We can certainly get that for you as it goes over to the other Chamber. I would certainly think that community colleges should - they are a great training ground for people - somehow be eligible for these types of grants. But I don't have the answer for you right now.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Yeah. A couple questions of the sponsor, if he has a moment.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Senator, the first-year cost in this program is roughly...?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

The Governor has, Senator Rauschenberger, in his 2001 budget, 2.6 million dollars for eleven hundred awards, during the first year.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

And since it's a -- a two-year grant program, the real cost of

69

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

this will be about twice that, in each fiscal year afterwards?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

That'd be correct. If -- you're the -- the appropriations guru, but I would assume it would be nearly 4.6 to five million, assuming that some people might drop out after year one. So, yes, it's going to be double.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

And -- and since we kind of back in to higher education budgeting, you know, by doing an apportionment first to education based on percentages, depending upon which Governor, and then we divide it between K through 12 and higher education, this will occupy some portion of that base, isn't that correct?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

Senator Rauschenberger, this is in ISAC's budget. So wherever that fits in our measuring scheme, that's where it would go. But it's in ISAC's budget.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

I -- I just would -- would make the point to Members who represent campuses and people who are interested in higher ed policy that it's a choice. When you -- if -- if you enact the scholarship program, that means that that amount of money, which is driven by formula, will not be available for other high priorities in the higher education budget. But I appreciate the sponsor's hard work.

70

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. Will sponsor yield for a couple questions?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Hawkinson.

SENATOR HAWKINSON:

Senator, are these scholarships designed to bring people into this field who cannot now afford to go to college, or -- or is it designed to encourage people who are included among those who are going to college to engage in this field?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

Senator Hawkinson, I believe it's both. It is a need-based program. There is a preference given to those students who already have a bachelor's degree, who want to be retrained. And according to ISAC and the Board of Higher Education, this is really meant to help eliminate an eighteen-thousand-person shortage for Illinois' workforce in information technology professionals.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hawkinson.

SENATOR HAWKINSON:

On -- in that regard, is it exclusively need-based, or can people of -- who have good aptitudes in this area, but might not otherwise qualify on current need levels, can they access these scholarships?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

It does say "need-based". And again, a lot is going to depend, I believe, on what rules are promulgated.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hawkinson.

SENATOR HAWKINSON:

Is there anything in the bill that mandates that the same need criteria that the federal government sets out or that is currently used for the MAP awards, will those be the criteria used, or is the board free to adopt other rules in that regard?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

Senator Hawkinson, it says, "All applications for grant assistance to be awarded under this Section shall be made to the Commission in a format set forth by the Commission." So I believe there will be a great deal of leeway in the rulemaking authority of ISAC.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, Senator Dillard, to close.

SENATOR DILLARD:

Just, again, I think this is a -- you know, this is a -- a needed program. We have a -- a shortage of these types of individuals. Certainly this bill, if you do have questions and

you were seeing it for the first time, we can tighten this up over in the House and it can come back. I'd be happy to -- to work with the House sponsor in doing that. And I appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall Senate -- Senate Bill 1444 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that

72

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

question, there are 57 Ayes, 2 Nays, none voting Present. And Senate Bill 1444, having received the required constitutional majority, is declared passed. Senate Bill 1456. Senator Dillard. Senator Klemm, what purpose do you rise?

SENATOR KLEMM:

I just want to make an announcement to a group that's up in the gallery, and I didn't want to interrupt the proceedings, but it's the Woodstock High School political science group, and I want to welcome them to the Senate.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Will our guests in the gallery please rise and be recognized?

Welcome to Springfield. Senate Bill 1456. Senator Dillard.
Senate Bill 1477. Senator Mitchell. Senator Mitchell. Is
Senator Mitchell in the Chamber?

SENATOR MITCHELL:

Thank you, Mr. Chairman and Ladies and Gentlemen...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1477.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Mitchell.

SENATOR MITCHELL:

I would simply ask for an Aye vote on this. And since I see
no questions coming forth from the Floor, I would ask that people
approve this first bill of mine.

PRESIDING OFFICER: (SENATOR DUDYCZ)

There are fifty-eight additional speakers. Is there --
Senator Mitchell.

SENATOR MITCHELL:

Be happy to try to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Well, Senator, you know, I'm a little confused because I've never really seen or heard a bill presented quite in this way. Can you tell us really what this bill does and, at the same time, tell me where Shawneetown is?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Mitchell.

SENATOR MITCHELL:

Yes. I -- I guess I made the false assumption that people read their screens here and looked at the analysis on the bill, but Shawneetown is in Gallatin County, and it's in the very tip of southern Illinois and sits on the Ohio River. The Shawneetown Port District is asking for this bill to be passed so they can have the same privileges that five other port districts have, two of those in that area. And another good reason, I think, for passage of this bill is, I'm told that Senator Rea could not get this out of committee last year.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jacobs.

SENATOR JACOBS:

Okay. Well, I understand that, but, now, you brought up Senator Rea. I notice that Senator Rea did introduce this legislation last year, and knowing Senator Rea and knowing that

the apple doesn't fall too far from the tree, can you tell me where the pork is in this bill?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Mitchell.

SENATOR MITCHELL:

74

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

Well, it's -- it's pretty well hidden, but it would give some powers to the port district - and it's not the "pork" district; it's the "port" district - that they don't have presently.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jacobs.

SENATOR JACOBS:

...that wasn't a misprint in our analysis when it said port. I -- I just -- I just think that this bill makes no sense and I ask everyone to give it a -- a Nay -- a No vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Wendell Jones.

SENATOR W. JONES:

Will the sponsor answer a few questions?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor hasn't indicated one way or the other. Sponsor

indicates he will yield, Senator. Senator Jones.

SENATOR W. JONES:

Senator Mitchell, is this your first bill in the Senate?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Mitchell.

SENATOR MITCHELL:

Yes, sir, it is.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jones.

SENATOR W. JONES:

You know, I had my first bill in the Senate a short fourteen months ago and I was wondering if you could help me get it out of House committee.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Mitchell.

SENATOR MITCHELL:

I -- I suppose that might depend on whose committee that's in

75

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

over there.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jones.

SENATOR W. JONES:

Senator Mitchell, I understand you were a mayor. Were you mayor of Shawneetown?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Mitchell.

SENATOR MITCHELL:

No, I presently serve as Mayor of Sesser, Illinois. And a -- a little bit of history -- it's -- it's Sesser, not Cicero. And a little bit of history on Shawneetown: They did have the first bank in Illinois located in Shawneetown.

PRESIDING OFFICER: (SENATOR DUDYCZ)

There are still fifty-eight lights lit. Senator Jones.

SENATOR W. JONES:

I'm wondering if Shawneetown and Sesser could perhaps merge and, you know, we -- then we'd just have one mayor for -- for each of those -- each of those towns. Is -- is Sesser in this port district?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Mitchell.

SENATOR MITCHELL:

No, sir. We're at the opposite end of the district, and I would not be though enough to be mayor of Shawneetown.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jones.

SENATOR W. JONES:

You won't be coming in with a canal now, to build a canal from Sesser to Shawneetown, will you?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Mitchell.

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

SENATOR MITCHELL:

Only if we could possibly get a riverboat license to do that.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jones.

SENATOR W. JONES:

...suspect -- I suspect Senator Bowles can help you with that.

It'll be the Hemp Express. Thank you very much.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Hendon.

SENATOR HENDON:

Senator Mitchell, is this your last bill you're going to introduce in the Senate?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Mitchell.

SENATOR MITCHELL:

Well, that -- that depends on this term and how I do in my election coming up.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hendon.

SENATOR HENDON:

Well, judging by this substantial legislation that you're about to pass, I'm sure your reelection is certainly reassured. Along the lines that Senator Jones was speaking of, what's the number one crop in Shawneetown? Is it industrial hemp, by any chance?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Mitchell.

77

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

SENATOR MITCHELL:

No, sir, it would be corn, soybeans, milo, wheat, that -- that type of thing.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hendon.

SENATOR HENDON:

Well, I'm not going to belabor the point, but I do want to point out to the Members of this Chamber that this young man,

distinguished and as gray as he might be, this is his first piece of legislation. And I've -- I've been around here seven years now and I've -- I've watched Senator Rea operate and I just can't understand why you would write this bill in -- in such a way. It just doesn't feel right to me, and I simply don't know what else to say, but I -- one last question. I -- I was looking through the school library the other day in the National Geographics. You didn't happen to be on the front page of that issue, did you?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Mitchell.

SENATOR MITCHELL:

Not to my knowledge.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I have counted the number of people who have spoken ill of Senator Mitchell and they were Democrats. I would like to invite Senator Mitchell to change parties and come to our side, because we were nicer to you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Molaro.

SENATOR MOLARO:

Thank you, Mr. President. One quick question. What...

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Molaro.

SENATOR MOLARO:

What's milo?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Mitchell.

SENATOR MITCHELL:

Milo is a grain crop that is grown in southern Illinois and --
and used for many purposes: livestock feed and oil base.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. Will the sponsor yield for a
question?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. Senator Mitchell, I'm a little bit concerned about
a couple of different things. First of all, one of your
statements indicated that Shawneetown is at the tip of the State.
Now, do you stand by that statement?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Mitchell.

SENATOR MITCHELL:

Well, it's not at the southern tip. I'm talking on the Ohio River, on the eastern side.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

So, in other words, we have to question the validity of that statement? We're not sure if that's truthful or not?

PRESIDING OFFICER: (SENATOR DUDYCZ)

79

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

Senator Mitchell.

SENATOR MITCHELL:

It is -- it is on the eastern side of the State of Illinois, at the southern portion.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

Is that the Mississippi River, the Ohio River or the Indiana River?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Mitchell.

SENATOR MITCHELL:

That would be the Ohio River.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

Is that your final answer?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Would you like to use a lifeline, Senator Mitchell? Senator Mitchell.

SENATOR MITCHELL:

I -- I certainly hope so.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

Well, I'm just a little bit concerned about whether or not Senator Mitchell really has spent much time in Shawneetown himself. I -- I doubt that any of his colleagues on -- on that side, with perhaps the exception of Senator O'Daniel, has ever been to Shawneetown. And I'd also like to know if Senator Mitchell is responsible for the failure of that first bank that was located in Shawneetown.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Mitchell.

SENATOR MITCHELL:

No, they -- they loaned money to the City of Chicago and went broke, is what the tale is down there.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

Senator Mitchell, just because you've answered that question correctly, I'll vote for this piece of legislation.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator O'Daniel.

SENATOR O'DANIEL:

Thank -- thank you, Mr. President. Since most everyone doesn't seem to know where Shawneetown is, it's the best place in the State to get fiddler catfish, got the coldest beer and the most friendly young ladies in -- anywhere in the State of Illinois.

PRESIDING OFFICER: (SENATOR DUDYCZ)

It's getting tough up here. Further discussion? Senator Viverito.

SENATOR VIVERITO:

Just a quick question. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he'll yield. Senator Viverito.

SENATOR VIVERITO:

I just wonder, the port authority we have around Lake Calumet, they get fees, you know, for the boats and ships that come in there. Are you going to charge some kind of rental fees or

something going with those big ships?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Mitchell.

81

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

SENATOR MITCHELL:

I certainly hope we don't get into the subject of pleasure craft again. We -- the -- this board wants to be able to have the right to -- to -- to charge fees and rentals, like the other port districts already have.

PRESIDING OFFICER: (SENATOR DUDYCZ)

This seems to be the longest anybody has ever spent on their first bill. Senator Viverito.

SENATOR VIVERITO:

Just one thing I wanted to know, is this in anticipation of any riverboats coming shortly?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Mitchell.

SENATOR MITCHELL:

Only if we can get a canal between Sesser and Shawneetown.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further -- further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, I don't have anything on this bill, but I -- I would suggest to Senator Klemm that when you get back in your district, that you go talk to that class that was in the gallery a while ago so they understand what's going on here today.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, Senator Mitchell, to close.

SENATOR MITCHELL:

I would certainly appreciate an Aye vote on this bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall Senate Bill 1477 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. Senate Bill 1477, having

82

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

received the required constitutional majority, is hereby declared passed. Middle of page 6, in the Order of Senate Bills 3rd Reading, is Senate Bill 1498. Senator Burzynski. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1498.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a bill that is intended to clarify a bill that we passed last year relative to DUI, Senate Bill 740. This is not an increase in fine or fees. It is merely a clarification. Be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1498 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes -- 59 Ayes, no Nays, none voting Present. Senate Bill 1498, having received the required constitutional majority, is hereby declared passed. Senate Bill 1508. Senator Parker. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

Senate Bill 1508.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Parker.

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

SENATOR PARKER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Resolution 41 had created the Mental Health Evaluation and Treatment Task Force and this bill is one of the bills that is a result of that work. It is agreed upon as a result of hearings that we held over the summer and the fall. What it does is it changes the definition of "psychiatrist" with respect to education and training requirements; provides that a hearing on a petition for the administration of authorized involuntary treatment may be heard immediately following the hearing on a petition for involuntary admission to a mental health facility; and changes provisions concerning continuances of a hearing on a petition for the administration of authorized involuntary treatment. A lot of this discussion was because of the Roby situation, as we recall, that was a couple of years ago. I would ask for a favorable consideration and answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1508 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the

record. On that question, there are 59 Ayes, no Nays, no voting Present. And Senate Bill 1508, having received the required constitutional majority, is hereby declared passed. Senate Bill 1514. Senator Dillard. Senate Bill 1522. Senator Klemm. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

Senate Bill 1522.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Klemm.

84

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

SENATOR KLEMM:

Yeah. Thank you, Mr. President. Senate Bill 1522 gives the county boards the same authority as municipalities for siting telecommunication facilities. It deletes certain requirements that are now existing, such as setbacks, multiple structures, lot sizes, and the permit review that they would have to go through now. It also establishes some minor requirements that shall be met when locating towers. I might add that I've been talking to a number of the representatives of the telecommunication industry.

We'll be looking at some possible changes in amendments in the House. We're working further to find out if we're going to be making some additional changes and we're willing to do that, and I do ask for your support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Hendon.

SENATOR HENDON:

Senator Klemm, you know, with the volume of the legislation we have, we don't always get to read them all. I -- I had one concern, if you would address it. Thank you, Mr. President. It has been brought to my attention by some that this shuts out competition from maybe the smaller carriers. Could you -- what is your response to that?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Klemm.

SENATOR KLEMM:

Well, the federal Act prohibits that from happening. They can't discriminate against providers, and they can't prohibit

SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

personal services on the communications at all. So that's already prohibited by the Telecommunication Act of 1996.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hendon.

SENATOR HENDON:

Would the size of the towers or the capital involved shut out that competition, or would the board -- the county boards be able to reject an application from a smaller carrier?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Klemm.

SENATOR KLEMM:

Could a -- could a board reject what now?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator -- Senator Hendon.

SENATOR HENDON:

An application from a smaller carrier.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Klemm.

SENATOR KLEMM:

Well, if they -- I guess if -- I guess I don't understand the question. You'd have to repeat it. We -- they -- they already have to do this in one thousand two hundred and eighty-eight municipalities in Illinois. They're already meeting these requirements now. It's really -- not really something new. They do it all over the country, all over the United States. The only reason we have this is because in 1997, when I introduced the bill

to do some limitations, it was thought at that time that local authorities did not have the authority to do this on siting. But to have three or four towers of two hundred feet going into a residential area without any public hearings, without any notification, is not right. And they agree with that. They want to work this out and that's what we're going to be doing.

86

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This looks a little bit like a bill that my good friend, Senator Link, had last year. But as I -- as I look at the -- the legislation and -- and look at it from the standpoint of in 1997, there was a lot of negotiations that went on, lot of compromise went on and there was a bill that come out that everybody seems to -- had been able to live with. This seems to undo that compromise. So I guess my question is, can this legislation or will this legislation impede the timeliness of -- of entry -- greater entry into the local telephone systems by the wireless, which are quickly becoming our -- our major land-based carrier?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Klemm.

SENATOR KLEMM:

Your -- was your -- do I understand your question? Will it delay it? Is that what your question is?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jacobs.

SENATOR JACOBS:

Yes.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Klemm.

SENATOR KLEMM:

No, not at all really, because we've got -- in my small county, we've got sixty-seven cellular towers and I think that was of July, and I think we now have seventy-one, already, cellular towers in a very small county. So there's really no -- no stifling of communications. But I think what the county could do, and I think -- this is what I think a lot of the carriers would

87

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

like to have is perhaps co-location. And if -- many times with the competing entities, they don't want to share because they

each want their own. But that adds additional cost of both of them having to put a tower on. The community has to have two towers instead of one. I think you'll find out in my city of Crystal Lake, they put some up on the water tower in the municipality. Everybody supported that. Those are good local decisions that allows the carriers to save money. It also uses the facilities that are already existing, and I think this is what the locals want to do. In fact, some of the concerns that the industry had was that they wanted the flexibility to meet with local circumstances, working with local officials, to make these decisions, and that's exactly what this is now doing.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jacobs.

SENATOR JACOBS:

Thank you. The reason I asked the question, as I -- as I look at the bill, there appears to be no timelines for approval by the county zoning boards, nor are there timelines for the issuance of building permits by the county building departments. So without those timelines in there, how can we keep from having delays?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Klemm.

SENATOR KLEMM:

Well, there -- there are currently Supreme Court decisions from various states that prevent undue delays in determining when they can come up with their regulations and regs if they don't have 'em. So that's already clear. Also, talking with the industry, we're talking about perhaps putting some time limits in, in some amendments over in the House, just so we could clarify

that issue. And I might add, I was a sponsor of the bill in 1997 creating this. At that time, it was our understanding, very

88

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

truthfully, that we did not have the authority under the federal Telecommunication Act to regulate. Since then, we've found out that is not correct and that we do have that. And as I said, your city does it and a lot of other cities do, too.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jacobs.

SENATOR JACOBS:

Just quickly to the bill: I -- I just have a problem with having over a hundred different bodies making decisions on something that I think should probably be made statewide. As much as I believe in local control, I believe there are some things that we have to look at on a statewide basis, and for that reason, I think we should give it a No vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Walsh. Larry Walsh.

SENATOR L. WALSH:

Thank you, Mr. President. I, too, stand in support of Senator Jacobs' comments and the reason that I voted No in -- in committee

was just because of the very reasons that he brought up. Since then, Senator Klemm has informed me that -- that they will be looking at -- looking at putting amendments on in the House. A lot of the issues that Senator Jacobs talked about - namely, a hundred and two different counties setting guidelines on whether -- whether towers go there or they don't go there - does create some of a problem for me. We are looking at a situation with our telecommunications becoming a very, very important role, and -- and Senator Klemm's district and my district and most of us up in the collar counties are the ones that use these telecommunications. And for us to put an undue burden on the industry that will keep them from building the towers that we need to transmit those telecommunications, is, I think, an unfortunate thing. And in regards to the bill itself, the industry was not

89

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

brought in on this bill to -- to discuss the issues. So again, I -- I think that he probably is on the right track in regards to getting the amendments on.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Link.

SENATOR LINK:

Thank you, Mr. President. I want to clarify a few things on this bill here. I think the intent -- and, Senator Klemm, I'm -- I -- I commend you for finally letting us get this debate on the Floor. We're not trying to slow up the telecommunications towers at all. There's a number of incidents in my county and in my district that have happened where what we have done is we've made it easy for telecommunications to put these towers up. And I'll cite a couple examples, but one of the examples that is very familiar to me is we had an incorporated area - the Village of Lake Bluff - right next to this -- and these were all three-hundred-, four-hundred-, five-hundred-thousand-dollar homes that people have built that are very -- very nice homes in a nice area. Right behind these -- this subdivision was an unincorporated wetland area that was unbillable for any other type of situation. What they did is they built a tower there, unbeknownst to any person in that subdivision. These people put their life savings into these homes and within hours of one day, unbeknownst to them, was a seventy-foot tower in their backyard. All this bill intent is, is to have public hearings, to have the intent of people knowing that something's going on, to make the same laws that are required right now in municipalities. That's all this law does. It is not a hindrance on the telecommunication, other than slowing them up in the extent that they have to go through the same process as if they were going to build it in a municipality. I'm asking for this support because it's going on constantly. There has been the telecommunications

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

have -- asking us if we would delay this bill a little bit. Well, the longer we delay this bill, guess what's going to happen? More towers are going to go up in these situations. And I think that this is a situation where we have to look to try to make it properly so that we don't inconvenience people with these towers going on. I ask everybody for a strong Aye vote on this. Not that we're slowing up cell towers, not that we're slowing up, but that the people that have this burden on their backyards have the same rights as those that are in a municipality. And I would urge a strong Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Donahue.

SENATOR DONAHUE:

Thank you very much, Mr. President. Question of the sponsor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Donahue.

SENATOR DONAHUE:

Can you give us an indication of where the telephone industry is itself? Are they in support of this? Have -- are they in opposition, or where are we with the industry itself?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Klemm.

SENATOR KLEMM:

Well, I -- I guess they would not want to have to meet requirements if they don't have to. So I would guess they would oppose it, just like anything else. However, in talking with a number of the -- the representatives, and some are even up on the thing, they have said that they're willing to work with us on this in the House. They know I'm going to move the bill. They don't really disagree with the provisions that I have for the areas of the eight small ones that are in there. When I talked to 'em, they probably personally tend to agree, and we're going to be

91

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

looking at some changes if necessary. So I guess they're ambivalent. They're kind of neutral now, I guess. I guess I would say that. That -- yeah. We're getting it now to be neutral, rather than opposing it.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Donahue.

SENATOR DONAHUE:

So, since the committee, when there -- they actually signed opposition slips, that there has been discussion and -- and feelings. How -- and the counties are very supportive of this, as well?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Klemm.

SENATOR KLEMM:

Yes. That's the reason I sponsored the bill some time ago. We had the -- more of the urbanized counties. Let me clarify. When we talk about a hundred and one counties, there's only fifty-one that have zoning ordinances that are effective. Forty-nine of 'em have no zoning. You can put it up anyplace you want. Already we have -- I mean -- so when you think about it, we have one thousand two hundred and eighty-eight municipalities that already require what we're asking the urbanized counties to have. That's already existing law. And, in fact, we're the only state that I know of in the United States that has the curtailment of local authority. Every other state in the Union allows what we're asking to do here. So it's not really -- I'm not breaking new ground. So, I hope I answered your question.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, Senator Klemm, to close.

SENATOR KLEMM:

I think I did. I ask for your support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall Senate Bill 1522 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 25 Ayes, 21 Nays, 10 voting Present. And Senate Bill 1522, having not received the required constitutional majority, is declared failed. Senator Klemm, what purpose do you rise?

SENATOR KLEMM:

I'd like to request Postponed Consideration.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Postponed Consideration. Leave is granted. Senate Bill 1532. Senator Cronin. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

Senate Bill 1532.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin.

SENATOR CRONIN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill amends the Juvenile Court Act of 1987. It provides that law enforcement officers, upon written request, may release to the victim, or if the victim is a minor, to the victim's legal -- legal custodian, guardian, or parent, the name and address of the minor who committed the criminal offense against the victim if the law enforcement officer reasonably believes that the release would not endanger the person or property of the arrested minor or his

family. This is a bill that enjoys widespread support among bar association types and -- and the law enforcement community. We debated this issue in our Judiciary Committee, and it was pointed out at that time that the Juvenile Justice Task Force came up with a bill last Session, many of you may recall, and this provision

93

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

was - I think it's accurate to say - was inadvertently included in the package. Many of those that served on the -- on Juvenile Justice Task Force support this revision. This merely takes the law back to the status that it -- it was before the change we made last Session. I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Obama.

SENATOR OBAMA:

Thank you very much, Mr. President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Obama.

SENATOR OBAMA:

Yeah. We discussed this in Judiciary, Senator Cronin and myself, and I do have some concerns. I just want to be clear about the chronology of events that led us to -- to this bill. My

understanding is, is that the -- the juvenile court -- the Juvenile Reform Act that we passed a couple of years ago essentially permitted what you're now seeking in this bill. Is that correct?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin.

SENATOR CRONIN:

Yes.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Obama.

SENATOR OBAMA:

And then what happened was that Senator Clayborne had a bill that would introduce a judicial review, essentially, of the release of these juveniles' names to a victim's family, and that also passed, not only out of Judiciary, but out of this Chamber. Pretty much sailed out of here. And -- and my understanding is that this was a freestanding bill. There wasn't an inadvertent

94

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

provision contained in other pieces of legislation, but, in fact, this was a bill that was precisely designed to have some judicial oversight in this process. Am I correct about that?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin.

SENATOR CRONIN:

I -- I think you're mostly correct. I -- I think it's fair to say that when that bill did pass, without any opposition at the time, I think there are those that had they known, or if they had the opportunity, would have voiced their opposition.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Obama.

SENATOR OBAMA:

Well, as you -- as you just stated, the -- the bill that Senator Clayborne sponsored sailed out of here, including I -- I believe you voted for it. My assumption was is that we knew what we were doing at the time. I don't know of any facts that have changed that would prompt us, in fact, to be reconsidering Senator Clayborne's bill. Let me just go to the substance in this and express why I'm concerned. And I think I've been strongly supportive of the rights of victims in criminal proceedings. We want to make sure that, in fact, they have these rights. But this is the essence of what the bill does, as I understand it, and correct me if I'm wrong. This bill permits, upon written request, a police officer to provide a victim or a victim's family with the name and the address of a juvenile who has been arrested, but not convicted, of a crime. So let's take a specific example. A young woman is sexually assaulted. A juvenile is arrested. The father of this young woman goes to the police station and says, "I want to know who was the -- the no good son of a gun who did this." And this bill essentially would permit, then, the police department to make a determination - maybe in -- in a small county

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

or a small town where -- where people know each other; the police officer is a friend of the victim's family. And he says, "Well, you know what, Jim? Here's the kid we arrested. Here's his name. Here's his address. And we don't know what you're going to do with it, but here it is." Now, this is going to be done upon arrest, not upon conviction. Let's imagine that the father of the victim isn't a violent person, but what he does is, let's say he goes to the school the next day and announces to teachers, parents and other students that such and such juvenile has been arrested because he sexually assaulted my daughter. Now, in that kind of circumstance, we have no mechanism to rewind, if it turns out, in fact, that the victim was innocent. The victim hasn't been adjudicated at this point. We have no certainty that, in fact, the juvenile engaged in this criminal activity, and yet, at this point, we've already released the name and address of the juvenile as a consequence of his or her arrest. My suggestion would be that that is imprudent, that the reason we have a judge oversee that is because the judge can make a determination - is it, in fact, necessary for that information to be released; does this juvenile who's been arrested pose a threat? Perhaps he's made

bond and the victim still is threatened, and it's appropriate to let the victim know. Perhaps it's a situation where, obviously, the victim has to identify the suspect and it's appropriate to let the victim know. I can imagine all kinds of circumstances where we should let the victim or the victim's family know. What I don't understand is why we would not want to have a situation where the judge is making that determination, given that this is not a conviction, but an arrest, and the whole point of a judicial proceeding is, in fact, that we don't let people be tried by folks outside of the judicial system. That's why we have a Judiciary. I'd strongly urge a No vote on this bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

96

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

Further discussion? Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Hendon.

SENATOR HENDON:

Thank you. Senator Cronin, I just want to be clear on some -- some -- some issues here, especially in light of what Senator

Obama said. In our judicial system, you're innocent until proven guilty. Is that correct?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin.

SENATOR CRONIN:

Yes.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hendon.

SENATOR HENDON:

Under this bill, a person who is innocent, because they have not been proven guilty, can have confidential information released to the victim or the victim's representative. Is that correct?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin.

SENATOR CRONIN:

A victim of a crime, a violent crime, a sexual crime, someone who's just experienced some traumatic insult, will be entitled to know the name of the person who was arrested for committing this offense.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hendon.

SENATOR HENDON:

Well, Senator Cronin, let me make sure that you know a little -- bit about my background. I have had members of my family and

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

very dear friends raped and assaulted and abused. So I -- in no way am I saying that they don't deserve justice. My question to you was: If we have a system of innocent until proven guilty, aren't you, in -- in fact, convicting these juveniles to the victim's family or the victim's representative? And does "representative" mean lawyer or can it be just a friend or an acquaintance?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin.

SENATOR CRONIN:

I -- I don't know how to answer your question. It's -- all we're talking about is the -- the victim of a crime being given the -- the -- the -- the decency, the -- the courtesy and the basic fairness of knowing the name of the person who was arrested for perpetrating that crime. Consider the absurdity that you're -- you're talking about. Even if the police officer wants to investigate the crime, they -- they have to disclose the name of the person, at least to the victim, maybe for purposes of -- identification. Are you -- I mean, are you saying that a victim who's just suffered a violent act perpetrated on them is not entitled to know the name of the person that's been arrested?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hendon.

SENATOR HENDON:

First of all, Senator, it's your legislation and not mine. Secondly, no, I am not saying what you -- what you just said. I believe that a person has to stand in a lineup, and if the victim picks them out of the lineup, that's how they determine that that is, in fact, the person. But to allow the police department, without a judge, to just determine that we are going to release this information and, according to my analysis, to anyone who is the victim's representative - not a lawyer. Could be a friend.

98

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

It could be an acquaintance. I don't know if you are familiar with the Ryan Harris case, but these young boys were arrested, convicted in the media and later found to be innocent of the crime. Now, to release their confidential information -- and confidential information can -- these days with the Internet and all that, we're trying to protect confidential information. So my question to you is: Are you not, in fact, convicting these offenders prior to them being convicted in court by releasing their information to relatives, friends, or any of the victim's representatives? And guess what? To -- on a person who may later be found to be innocent by a judge, because some of 'em are innocent. And then the information is given out about the wrong

person. And in my neighborhood, Senator Cronin, there's a reality here that some of these people who get this information could then go and harm who they thought was the perpetrator and the true perpetrator is arrested later. We've seen a lot of that with the death penalty lately. So I'm sure you're not denying that innocent people are convicted in Illinois, and certainly arrested and released later.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Hendon.

SENATOR HENDON:

I will sit down, my dear friend, but that -- that was a question, and I -- and I'd like an answer, because you're pretty much convicting me of being against sexual assault victim's getting this information and I'm offended by that, because I've had that happen in my family. But me and my brothers, if we'd of went and beat up the guy or killed the guy, we'd found out later we had the wrong guy.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin.

SENATOR CRONIN:

I -- I think I -- I understand some of the concerns you've raised about some of the problems in the judicial -- the justice system. I think this is -- I don't think that this poses the same danger and -- and threat that -- that you express concern about. And I know it's just my opinion. But I think in this bill what we're doing -- and if you'd -- I'd like to offer a little perspective. We're just going back to the way the law was for a long period of time. We're going back to the way the Juvenile Justice Reform Task Force recommended this issue should be handled. And all we're doing is we're releasing information, upon written request, to a very narrow group of people, and that is: victim, and if the victim's a minor, to the victim's legal custodian, guardian or parent. And I think you have to think about the victim when you look at this. I understand that there are some problems in the judicial justice system, but you have to think about the victim here. And if you have a child who's been victimized by someone, or suffered at the hands of someone in the neighborhood or somebody who may be not in the neighborhood and -- and -- and I think for basic safety purposes, for basic protection of your child and your family, you're going to want to know who the heck was arrested. You're just going to want to know that as a parent. And I think that that's important. And I don't think that convicts anyone. I think basic information is helpful. Yes, I know there's some dangers about what the information can be used -- what can happen, but I think you have to think about the victim and I urge your favorable consideration.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Mr. President. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Clayborne.

100

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

SENATOR CLAYBORNE:

Senator Cronin, could this information be released before the juvenile has even been charged?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin.

SENATOR CRONIN:

...think the information is the arrest that can be released.
So, information pertaining to the arrest can be released.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Clayborne.

SENATOR CLAYBORNE:

So, in other words, an officer arrests someone, the victim's representative comes down and requests the information on this person, and then the next day, the officers decide not to charge this person. But, yet, the information has been released. Am I correct?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin.

SENATOR CRONIN:

Yes. That could happen.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Clayborne.

SENATOR CLAYBORNE:

So, before we even charge anybody, we've already made them -- whether they're ever charged with the crime or not, we've already set the method by which they will be ridiculed, humiliated and embarrassed and they may never even be charged with the crime. You know, one of the things that I -- I'd also like to point out, Senator Cronin, and you can correct me if I'm wrong, that the way -- you're changing this law back to the way it was, but that law had only been in existence two years. Am I correct, Senator Cronin?

101

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin.

SENATOR CRONIN:

Yes. I think so.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Clayborne.

SENATOR CLAYBORNE:

I -- I just want to make a -- a brief statement. It -- it's really unfortunate -- I see the proponents as the Chicago Police Department and -- and I have, obviously, a colleague here who's -- who's with the Chicago Police Department -- well, two. And it appears to me, as proponents -- I tried to put in the law a safety net where victims' representatives could get this information, but they had to go to -- go through the court process to make sure that they convince the court by clear and convincing evidence that the -- the disclosure of this information was necessary. But now we're going back to a situation where you could have been arrested, may never be charged, but, yet, you can get information released on you that you've perpetrated a crime and it could be a mistaken identity, it could be anything. But that's really unfortunate. And what we -- what we're talking about here, and I agree with you, Senator Cronin, fundamental fairness, to make sure that the system works for everybody, not that one person has the opportunity to be the judge, jury and to try this person and to convict them before they've even been charged. So I would hope that we, as a Body, would understand that all of our children occasionally have problems where they may be in tough situations, may be faced with tough choices, and regardless of what decisions they make, sometimes the outcome is not the best, but they weren't involved in the crime or the process. But in this particular case, your children, as well as mine or anybody in the State of Illinois, can have information released upon them even though

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

they'll never, ever be charged. And that's not fair. So we should make sure that at least a court of competent jurisdiction will make a -- make the necessary determination that the victim or its representative are entitled to this information and not just base it upon one person to release information that, obviously, can humiliate that person, as well as their families. I urge a -- a No vote on this.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Just real quick, if the sponsor would yield for a question.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Jacobs.

SENATOR JACOBS:

Senator, I think we're all in the same boat. We all have the same feeling, I think, as you do, that we want to see justice done and that the victim has rights and I -- I agree with that. But, also, as a parent -- I think all of us as a parent react very violently -- or, would react very violently to someone being raped, whether it be a child, whether it be a granddaughter,

whatever it may be. Do you have any concerns that you may be putting that victim's parent in jeopardy by going out and committing bodily harm themselves and therefore have to stand trial themselves, with information if they didn't have, maybe they would not do at that particular time?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin.

SENATOR CRONIN:

I don't know, Denny. I suppose that could happen.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Molaro.

103

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

SENATOR MOLARO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Will the sponsor yield for a quick few questions?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Molaro.

SENATOR MOLARO:

Page 3, subsection (6) of your bill, apparently that's where the changes take place. You -- you said a couple times in debate if someone is a victim of some violent crime, they should find out

who the perpetrator was because they would be afraid of their safety 'cause he committed violence once, he may do it again. I guess that makes sense, but if I read the bill, is there anywhere that it's strictly you can get this information only if the victim is a victim of a violent crime, or is it any crime whatsoever?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin.

SENATOR CRONIN:

It applies to the victim of any crime.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Molaro.

SENATOR MOLARO:

Well, thank you. And -- and the only reason I'm -- I cleared it up is because a couple times in debate, you kept saying victim of violent crime. Therefore, shoplifting is included in this. Now, you use the word -- it says, law enforcement officer may not disclose the identity of any minor in releasing information - blah, blah, blah - of any case involving a minor. So that would be shoplifting, that would be truancy, that would be anything else. Now it says here, upon request, law enforcement officer may release the name and address of a minor who's been arrested for a criminal offense to the victim. Now, in that word "victim" or in the case of minor, are we talking about -- what if it's a store

SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

like the Jewel or an Osco, or if it's something else? I mean, what about that kind of a thing? Is that what -- are we releasing it to stores and corporations?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin.

SENATOR CRONIN:

May I take this bill out of the record?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Take it out of the record. Senate Bill 1541. Senator Maitland. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1541.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. Senate Bill 1541 is very similar to Senate Bill 423 that passed out of this Chamber last year and passed out of the House, went to the Governor and -- and it was amendatorily vetoed, and we had some problems with the amendatory veto and -- and brought the bill back and overrode the veto here in this Chamber by, I think, 59 or 58 to nothing. And it went to the House and got bogged down in some political difficulties over there between two Members and -- and the bill wasn't successful. We've brought it back this year

and it does, essentially, the same thing. It -- it requires electric utilities to follow specific vegetation management guidelines established by the International Society of Arboriculture, OSHA and -- and ANSI. It requires electric utilities to provide twenty-one days' notice to municipalities before beginning vegetation management activities in their

105

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

jurisdiction and provide seven days' notice to affected customers and a toll-free -- a toll-free number to call. Recognition of -- there is recognition of prior franchise agreements that are -- are in place around the State, prior written agreements and future mutual agreements. It also requires the IC {sic} (ICC) to promulgate rules based on provisions outlined by July 1 of -- of 2001. I responded to a question from Senator Bowles this morning about why not until July of 2001. It is quite possible that these rules could be promulgated before that time, but that gives an outside -- an outside date. Ladies and Gentlemen, this is a reliability issue, I think. There has been discussion and concerns across the State between the municipalities, the utilities and, primarily, residential owners who were concerned about the butchering of their trees, and it has generally been

agreed by all that there should be some state -- statewide agreement. I believe this bill does it. The Municipal League was involved in the negotiations last year. They are not supporting the bill this year. They had, as I understand it, a bill of their own. This embraces what they were a part of last year in the discussion. I believe this is good legislation and would seek your support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1541 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. Senate Bill 1541, having received the required constitutional majority, is declared passed. Senator Geo-Karis, what purpose do you rise?

SENATOR GEO-KARIS:

Point of personal privilege.

106

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point.

SENATOR GEO-KARIS:

I believe in the -- the room is our great Attorney General, Jim Ryan. We'd like you all to welcome him here today.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Welcome to the Senate, General Ryan.

PRESIDING OFFICER: (SENATOR KARPIEL)

All right. On the bottom of page 6 is Senate Bill 1589. Senator Geo-Karis. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1589.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Madam President and Ladies and Gentlemen of the Senate, this bill was modeled after similar legislation in the State of Wisconsin which allows state colleges and universities to provide tuition waivers in an amount not to exceed one percent of tuition income for the sole purpose of achieving gender equity in their intercollegiate athletic programs. We have found that the hardest hit were wrestling, swimming, golf, and indoor track and field sports, and this has been effective, believe it or not, the sports for the boys. So this will bring it up to a par, so to speak, equity par with the women. And I ask for favorable consideration of this bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Is there any discussion? Any discussion? If not, the

question is, shall Senate Bill 1589 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted

107

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

who wish? Have all voted who wish? Have all voted who wish?
Take the record, Mr. Secretary. On this question, there are 59
voting Aye, none voting Nay, none voting Present. And Senate Bill
1589, having received the required constitutional majority, is
declared passed. On the top of page 7, we will go to Senate Bill
1599. Senator Parker. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1599.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Parker.

SENATOR PARKER:

Thank you, Madam President, Ladies and Gentlemen of the
Senate. Senate Bill 1599 is the second one. It is -- it has to
do with the work from the Mental Health Evaluation and Treatment
Task Force. And the -- what we have suggested is to require a
petitioner to testify in court regarding the factual basis for the

petition if the respondent is not present. Requires a diligent effort to convince the respondent to appear voluntarily for an examination. Requires the admitting facility to notify at least two persons of the admission at the respondent's request. And requires the Illinois Law Enforcement Training Standards Board to create a task force to assist the Board on developing a protocol concerning mental health professionals and the use of peace officers for the transport of persons with involuntary examinations. This has to do with work that we've agreed upon with respect to involuntary admissions. I will answer any questions and ask for a favorable vote.

PRESIDING OFFICER: (SENATOR KARPIEL)

Are there any questions? Any questions? If not, the question is, shall Senate Bill 1599 pass. Those in favor will vote Aye.

108

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On this bill, there are 59 Ayes, none voting Nay, none voting Present. And Senate Bill 1599, having received the required constitutional majority, is declared passed. Senator -- 1602. Senator Klemm. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1602.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Klemm.

SENATOR KLEMM:

This is a bill that we were working on with the State Police and IDOT about some of the wheel and axle loads and gross weights they're having some problems with. We haven't been able to reach the agreement on the amendments. We are sending it to the Federal Highway Administration for their checking, so therefore the bill is still a shell. We're going to work it over to the House and see if we can come up with some resolve. So I ask for your support while we continue the dialogue.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? If not, the question is, shall Senate Bill 1602 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take -- take the record, Mr. Secretary. On this question, there are 57 voting Aye, none voting Nay, none voting Present, 2 not voting. And Senate Bill 1602, having received the required constitutional majority, is declared passed. Senate Bill 1620. Senator Myers. Read the bill, Mr. Secretary.

SECRETARY HARRY:

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

Senate Bill 1620.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Myers.

SENATOR MYERS:

Thank you, Madam President, Members of the Senate. Senate Bill 1620 amends the Sex Offender Management Board Act to provide that the Sex Offender Management Board must establish procedures for the evaluation and identification of sex offenders and the counseling of sex offenders by December 31st, 2001. This is requested by the Attorney General. Currently, it reads that it must be done by July 22nd, 2000. So it's a change in when the requirement for that report to come. I would like a favorable vote.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? If not, the question is, shall Senate Bill 1620 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? On this question, there are -- take the record, Mr. Secretary. On this question, there are 59 voting Aye, none voting Nay, none voting Present. And Senate Bill 1620, having received the required constitutional majority, is

declared passed. Senate Bill 1627. Senator Walsh. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1627.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Walsh.

SENATOR T. WALSH:

110

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

Thank you, Madam President. Senate Bill 1627 amends the Local Government Debt Reform Act to conform with the publication requirement enacted last year in the Election Code. Specifically, it states that notices for backdoor referenda shall be published at least once in a newspaper of general circulation in the governmental unit and may be included on the Web site of the local government. The Web site publication is not a substitute for newspaper publication; it is an option in addition to the newspaper publication. The bill also allows a governmental unit, including school district, to choose to have a school construction grant -- grant sent directly to an escrow account established by

the governmental unit to fund its bond payment. Finally, the bill clarifies how leases and installment contracts can be implemented without cumbersome legal technicalities. I know of no -- no opposition and would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any -- any discussion? Any discussion? If not, the question is, shall Senate Bill 1627 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On this question, there are 59 voting Aye, none voting Nay, none voting Present. And Senate Bill 1627, having received the required constitutional majority, is declared passed. Senate Bill 1629. Senator Syverson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1629.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Syverson.

SENATOR SYVERSON:

Thank you, Madam President. This legislation amends the Illinois Vehicle Code and provides that any truck used exclusively for the collection of garbage, refuse, or recyclable material may stop or stand on the road in a business, residential or rural district for the sole purpose of collecting garbage or refuse or recyclable materials. The problem is, current law requires that the vehicles pull off to the shoulder to pick up refuse. However, where there is a curb, they are unable to pull over. This legislation just corrects that language. Know of no opposition.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

I'd just like to ask the sponsor if this is his first bill or if he has other intentions for this piece of legislation.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Syverson.

SENATOR SYVERSON:

No, this is actually what the bill does. It's unfortunate we have to do a merely bill, but this is a merely bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? If not, the question is, shall Senate Bill 1629 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On this question, there are 59 voting Aye, none voting Nay, none voting Present. And Senate Bill 1629, having received the required constitutional majority, is declared passed. Senate

Bill 1630. Senator Luechtefeld. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1630.

(Secretary reads title of bill)

3rd Reading of the bill.

112

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you, Madam President, Members of the Senate. This bill amends the Vehicle Code. At the present time, if your license are revoked and you would like to challenge that -- the Secretary of State's decision in court, it can only be done in Sangamon and Cook Counties. This bill simply would allow it also to be -- to be done and challenged in Jefferson County, which they already have a court there, in Mt. Vernon. Would answer any questions, and would appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any further discussion? If not, the question is, shall Senate Bill 1630 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all

voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On this question, there are 56 voting Aye, none voting Nay, none voting Present. And Senate Bill 1630, having received the required constitutional majority, is declared passed. Senate Bill 1636. Senator Geo-Karis. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1636.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Madam President and Ladies and Gentlemen of the Senate, currently, the parenting -- Parentage Act does not contain any provision regarding removal of children from the State of Illinois, and the courts have held that the removal provisions of the Illinois Marriage and Dissolution of Marriage Act do not apply

113

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

to the Parentage Act because they have not been specifically incorporated into the Parentage Act. Well, now, this bill does specifically apply to the Illinois Marriage and Dissolution of

Marriage Act and it's consistent with that regarding removal of children from the State. This bill was requested by some of our constituents, and there was work done by the State Bar Association, their family law section, and it gave us -- which gave us the language and order. I ask for favorable consideration to make this bill consistent with the divorce statute on removal of children.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any further discussion? If not, the question is, shall Senate Bill 1636 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On this question, there are 59 voting Aye, none voting Nay, none voting Present. And Senate Bill 1636, having received the required constitutional majority, is declared passed. It's getting a little loud out there. If we could keep the conversations much quieter. Okay. 1642. Senator Smith. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1642.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Smith.

SENATOR SMITH:

Thank you, Madam Chairman and to Members of the Senate. Senate Bill 1642, subject to appropriations, the Director of the Department of Health is required to develop an arthritis quality of life initiative in the Department of Health. And it describes

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

the purpose of the initiative. This bill is supported by the Department of Public Health, and I ask for a favorable vote, please.

PRESIDING OFFICER: (SENATOR KARPIEL)

Is there any discussion? Senator Bomke.

SENATOR BOMKE:

Point of personal privilege, Madam Chairman.

PRESIDING OFFICER: (SENATOR KARPIEL)

State your point.

SENATOR BOMKE:

Thank you. I have in the gallery behind us, Reverend John Burnett. Along with him is the single A 8th Grade State Championship basketball team. Right here. Right back here.

PRESIDING OFFICER: (SENATOR KARPIEL)

Welcome to Springfield. Those are nice medals around your neck. All right. Is there any discussion on Senate Bill 1642? If not, the question is, shall Senate Bill 1642 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On this question, there

are 59 voting Aye, none voting Nay, none voting Present. And Senate Bill 1642, having received the required constitutional majority, is declared passed. Senator Bomke, for what reason do you rise?

SENATOR BOMKE:

Thank you, Madam Chairman. I -- I started to mention and failed to do so, the State Champions are from the Parish of the Blessed Sacrament School.

PRESIDING OFFICER: (SENATOR KARPIEL)

Very nice. Very good. Senate Bill 1645. Senator Molaro. Read the bill, Mr. Secretary.

SECRETARY HARRY:

115

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

Senate Bill 1645.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Molaro.

SENATOR MOLARO:

Thank you, Madam President, Members of the Senate. This is a straightforward amendment to the Property Tax Code. When someone

buys property, whether -- when someone buys...

PRESIDING OFFICER: (SENATOR KARPIEL)

Excuse me, Senator Molaro. It seems like we have an awful lot of noise in here today. Let's keep it down, please. Senator Molaro.

SENATOR MOLARO:

Probably read the bill in advance and realized it wasn't that big of a deal, so they went on with their conferences, but now that you quieted the Chamber, it's -- it's kind of a simple bill. Every year a certain part of Cook County is reassessed. When you buy property in Cook County in Illinois, there's a little section on the deed, whether it's your home or somewhere else, that says where you want the tax bill sent. Sometimes your attorney will put down your home, but sometimes the mortgage lender or the -- or the mortgage house or the bank wants the tax bill sent to them, then that permanently puts on the roll where this information would go. So when the assessor goes out and reassesses your property, he's given a computer printout of the addresses by the tax bill people, or the treasurer, and he sends out the reassessment notice to the mortgage holders and the banks. He does not send it to the property owner. All this says is that after a bank or a mortgage company gets the reassessment, they must, in a certain period of time, mail it out to the mortgagee so the property owner knows that he's being reassessed. And that's

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

what the bill does.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? If -- if not, the question is, shall Senate Bill 1645 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On this question, there are 59 voting Aye, none voting Nay, none voting Present. And Senate Bill 1645, having received the required constitutional majority, is declared passed. Senate Bill 1646. Senator Maitland. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1646.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Madam President and Members of the Senate. Senate Bill 1646 is a Nuclear Safety Department bill, and it does simply one thing: It extends the sunset date of the Radiation Protection Act from {sic} (of) 1990, December -- to December 31st -- from December 31st, 2000, to January 1, 2001 {sic} (2011). I would seek your approval.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? If not, the question is, shall Senate Bill 1646 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On this question, there are 58 voting Aye, none voting Nay, none voting Present. And Senate Bill 1646, having received the required constitutional majority, is declared passed. Senate Bill 1647. Senator Maitland. Read the bill, Mr. Secretary.

117

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

SECRETARY HARRY:

Senate Bill 1647.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Madam President, Members of the Senate. Senate Bill 1647 is one of the annual IDOT conveyance and transfer bills for the year. There are some thirty-five or more conveyances and transfers in the bill at this point. I'm not going to go through all of them. Anyone has any question, I would be

happy to respond to your question. This bill will go to the House and no doubt will be back. This is just the first step in many steps along the way.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? If not, the question is, shall Senate Bill 1647 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On this question, there are 58 voting Aye, none voting Nay -- I'm sorry, 1 voting Nay, none voting Present. And Senate Bill 1647, having received the required constitutional majority, is declared passed. Senate Bill 1649. Senator Sieben. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1649.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Sieben.

SENATOR SIEBEN:

118

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

Thank you, Madam President. This legislation -- this bill amends the State Comptroller's Act. Does two things: It increases the amount of funds available for making change at the State Fair from one hundred thousand up to two hundred thousand, and it also adds fifteen days to the amount of time that can -- is necessary for the completement of the contracts for entertainment at the State Fair. Ask for an Aye vote.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? If not, the question is, shall Senate Bill 1649 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On this issue, there are 59 voting Aye, none voting Nay, none voting Present. And Senate Bill 1649, having received the required constitutional majority, is declared passed. Senate Bill 1651. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1651.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Sixteen -- Senate Bill 1651, as amended, extends for four years the CDB Revolving Fund that they use to run the operations of the Capital Development Board. I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? If not, the question is, shall Senate Bill 1651 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish?

119

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

Have all voted who wish? Take the record, Mr. Secretary. On this question, there are 59 voting Aye, none voting Nay, none voting Present. And Senate Bill 1651, having received the required constitutional majority, is declared passed. Senate Bill 1656. Senator Geo-Karis. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1656.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Madam President and Ladies and Gentlemen of the Senate, this bill amends the Credit Union Act and deletes the requirement that the Department of Financial Institutions conduct annual examination of all credit unions. And this -- I think, if I recall correctly, the amended -- amendment was making it

biennially, and I ask for its favorable approval.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? If not, the question is, shall Senate Bill 1656 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On this question, there are 59 voting Aye, none voting Nay, none voting Present. And Senate Bill 1656, having received the required constitutional majority, is declared passed. Senate Bill -- on the top of page 8 on your Calendar is Senate Bill 1657. Senator Donahue. Senate Bill 1658. Senator Robert Madigan. Senate Bill 1659. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1659.

(Secretary reads title of bill)

120

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

As -- as the second part of my legislative agenda this year,

we're taking some of the scientists at DNR and permitting them to be treated as scientists -- or, treated both at the ICC and at other agencies, so taking them outside the Personnel Code. It's been a consistent problem, being able to meet the pay scales and the requirements necessary, and I'd appreciate favorable support.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? If not, the question is, shall Senate Bill 1659 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On this question, there are 59 voting Aye, none voting Nay, none voting Present. And Senate Bill 1659, having received the required constitutional majority, is declared passed. Senate Bill 1660. Senator Syverson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1660.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Syverson.

SENATOR SYVERSON:

Thank you, Madam President. Senate Bill 1660 repeals MediPlan Plus. It has not been put into place and they are looking at other programs. Be happy to answer any questions, otherwise ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR KARPIEL)

Is there any discussion? If not, the question is, shall

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

Senate Bill 1660 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On this question, there are 59 voting Aye, none voting Nay, none voting Present. And Senate Bill 1660, having received the required constitutional majority, is declared passed. Senate Bill 1682. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1682.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Sixteen -- Senate Bill 1682 completes my legislative agenda. This is a bill that directs the Department of Revenue to begin multi-state discussions. Authorizes them, if possible, to pilot an opportunity in working on a streamlined sales tax in cooperation and along the lines of the NCSL project and the National Governors' Association project. I'd be very, very happy

to answer questions on it. I really like the subject, so whatever you'd like to ask, I'd be happy to talk about.

PRESIDING OFFICER: (SENATOR KARPIEL)

Please don't agree with him. Any discussion? If not, the question is, shall Senate Bill 1682 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On this question, there are 59 voting Aye, none voting Nay, none voting Present. And Senate Bill 1682, having received the required constitutional majority, is declared passed. Senate Bill 1693. Senator Trotter. Read the

122

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1693.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Trotter.

SENATOR TROTTER:

Thank you very much, Madam President. This is an initiative

submitted by the Real Estate Taxation Committee, making a few technical changes, essentially clarifying some misrepresentations by the Circuit Court of Cook County. There's no opposition to the bill, and I would like a favorable roll call.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? If not, the question is, shall Senate Bill 1693 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On this question, there are 59 voting Aye, none voting Nay, none voting Present. And Senate Bill 1693, having received the required constitutional majority, is declared passed. Senate Bill 1704. Senator Robert Madigan. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1704.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Madigan.

SENATOR R. MADIGAN:

Thank you, Madam President, Members of the Senate. Senate Bill 1704 amends the Real Estate Appraiser Licensing Act. It -- holds -- anyone who represents themselves as an appraiser without

SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

a license -- State license would be guilty of a Class A misdemeanor. Increases the education requirements to hold those licenses. I know of no opposition to Senate Bill 1704 and would ask for its approval.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? If not, the question is, shall Senate Bill 1704 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On this question, there are 59 voting Aye, none voting Nay, none voting Present. And Senate Bill 1704, having received the required constitutional majority, is declared passed. Senate Bill 1718. Senator Madigan. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1718.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Madigan.

SENATOR R. MADIGAN:

Thank you, Madam President, Members of the Senate. Senate Bill 1718 amends the Workers' Compensation Act. It makes two changes -- or, makes changes to two funds: the Second Injury Fund and the Rate Adjustment Fund. Actually, it changes the way that the assessments are computed as a result of recommendations from the Financial Accounting Standards Board. I think the

important thing for this Body to understand is that it does not increase or decrease the amounts owed by an insurance company, nor does it decrease or increase any payments that would be made to injured workers, or -- or those computations. I would be happy to answer any questions on Senate Bill 1718 and would otherwise ask for favorable consideration.

124

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? If not, the question is, shall Senate Bill 1718 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On this question, there are 58 voting Aye, none voting Nay, none voting Present. And Senate Bill 1718, having received the required constitutional majority, is declared passed. Senate Bill 1734. Senator Burzynski. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1734.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Madam President, Ladies and Gentlemen of the Senate. This is a bill that's coming from the Adjutant General, the Illinois National Guard, and I'd be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? If not, the question is, shall Senate Bill 1784 {sic} pass. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On this question, there are 59 voting Aye, none voting Nay, none voting Present. And Senate Bill 1734, having received the required constitutional majority, is declared passed. Senate Bill 1735. Senator Burzynski. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1735.

(Secretary reads title of bill)

125

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Madam President. This is a clean-up bill for the Department of Professional Regulation that will clarify some of their situations with audit findings.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? If not, the question is, shall Senate Bill 1785 pass -- Senate Bill 1735 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On this question, there are 59 voting Aye, none voting Nay, none voting Present. And Senate Bill 1735, having received the required constitutional majority, is declared passed. Senate Bill 1780. Senator Philip. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1780.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Philip.

SENATOR PHILIP:

Thank you, Madam President and Ladies and Gentlemen of the Senate. Senate Bill 1780 provides nine hundred and eighty-seven thousand dollars GRF to the Department of Veteran Affairs for a grant to the American Battle Monument Commission. This would be approximately the -- the association has asked for a dollar for every veteran that served in WW II. In Illinois, believe it or not, we had nine hundred eighty-seven thousand veterans who

defended their country. Be happy to ask {sic} any questions and ask for a favorable vote.

126

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

PRESIDING OFFICER: (SENATOR KARPIEL)

Is there any discussion? Senator Trotter.

SENATOR TROTTER:

Thank you, Madam President. This is a great bill, and I urge all to vote Aye for it.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Philip, do you want to close? If not, the question is, shall Senate Bill 1780 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On this question, there are 59 voting Aye, none voting Nay, none voting Present. And Senate Bill 1780, having received the required constitutional majority, is declared passed. Now, on your Calendars, and at the request of the sponsors, from the bottom of page 8 all through page 9, page 10 and up until -- the first bill that we'll be calling will be 1828 on page 11. At the request of the sponsors, those bills are being held. So we are now on page 11. Senate Bill 1828. Senator Rauschenberger. Read

the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1828.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Madam President and Ladies and Gentlemen of the Senate. This is one of several budget implementation bills we hope to be needing in the next few weeks as we complete the budget work. It's currently a shell bill. With single subject, we think we may need more budget implementation Acts than we have used in the past. I'd appreciate favorable support for us to send this

127

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

over to the House.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? Senator Trotter.

SENATOR TROTTER:

These bills are just as he has outlined. They're simple vehicle bills and I ask all on this side to vote Yes.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any further discussion? If not, the question is, shall Senate Bill 1828 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On this question, there are 59 voting Aye, none voting Nay, none voting Present. And Senate Bill 1828, having received the required constitutional majority, is declared passed. Senate Bill 1829. Senator Maitland. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1829.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Maitland.

SENATOR MAITLAND:

Thank you, Madam President, Members of the Senate. Senate Bill 1829 is another budget implementation Act. Same -- same explanation as Senator Rauschenberger, and I would seek your support.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? Senator Trotter.

SENATOR TROTTER:

This is just like the last bill, and I ask everyone on this side of the aisle to vote Aye.

PRESIDING OFFICER: (SENATOR KARPIEL)

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

Further discussion? If not, the question is, Senate Bill -- shall Senate Bill 1829 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On this question, there are 58 voting Aye, none voting Nay, none voting Present. And Senate Bill 1829, having received the required constitutional majority, is declared passed. Senate Bill 1844. Senator Radogno. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1844.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Madam President. This bill is identical to House Bill 182, which we'll be looking at next week. The genesis of both of these bills was a series of articles in the Tribune that detailed the lack of treatment of mentally ill persons in nursing homes. What this bill will do is require that the Department of Public Aid and the Department of Public Health develop rules that will have a protocol for treatment of individuals who are in

nursing homes who are severely mentally ill. It also requires training for Department of Public Health inspectors, as well as training for ombudsmen who have a relationship with the nursing homes, to be sure that they know how to assess and to make sure that those folks are receiving the appropriate care. We hope that these rules will be developed in conjunction with all the advocates who have worked on this issue. Be happy to try to answer any questions.

PRESIDING OFFICER: (SENATOR KARPIEL)

129

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

Any discussion? If not, the question is, shall Senate Bill 1844 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On this question, there are 57 voting Aye, 2 voting Nay, none voting Present. And Senate Bill 1844, having received the required constitutional majority, is declared passed. Senate Bill 1853. Senator Maitland. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1853.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Maitland.

SENATOR MAITLAND:

Thank you -- thank you very much, Madam President. Senate Bill 1853 is a vehicle bill. It amends the Tobacco Settlement Act. Senator Klemm passed a similar shell bill out earlier, and I would seek your support.

PRESIDING OFFICER: (SENATOR KARPIEL)

Is there any questions? Any discussion? If not, the question is, shall Senate Bill 1853 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On this question, there are 59 voting Aye, none voting Nay, none voting Present. And Senate Bill 1853, having received the required constitutional majority, is declared passed. Senate Bill 1854. Senator Dillard. Senate Bill 1855... We'll return to 1854. Right now, Senate Bill 1855. Senator Philip. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1855.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Philip.

SENATOR PHILIP:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Senate Bill 1855, quite frankly, is a General Assembly Organization Act bill. It is a shell bill. I've asked the Speaker of the House to pick up the sponsorship in the House. Perhaps late in the Session we will need this to -- to do -- finish our business. Be happy to answer any question.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? If not, the question is, shall Senate Bill 1855 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On this question, there are 58 voting Aye, none voting Nay, none voting Present. And Senate Bill 1855, having received the required constitutional majority, is declared passed. With leave of the Body, we will now go back to Senate Bill 1854. Senator Dillard. I guess we won't. All right. The top of page 12 on your Calendar is Senate Bill 1856. Senator Weaver. Senate Bill 1857. Senator Rauschenberger. Senate -- Senate Bill 1857. Senator Rauschenberger. Senator -- Senate Bill 1860. Senator Philip. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1860.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Philip.

SENATOR PHILIP:

131

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

Thank you, Madam President and Ladies and Gentlemen of the Senate. Senate Bill 1860 deals with boards and commissions. What it does is it increases the Department of Natural Resources Advisory Board from eleven to thirteen. Repeals the Alzheimer's Task Force. Repeals the High Blood Pressure Advisory Board. Repeals the Rheumatic Disease Treatment Act. Repeals the Solid Waste Advisory Council, et cetera. This came from the Governor's Office of Performance Review. Be happy to ask {sic} any questions.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? If not, the question is, shall Senate Bill 1860 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On this question, there are 57 voting Aye, 1 voting Nay, none

voting Present. And Senate Bill 1860, having received the required constitutional majority, is declared passed. Senate Bill 1871. Senator Viverito. The intervening bills are being held by the sponsor. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1871.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Viverito.

SENATOR VIVERITO:

Thank you, Madam Chairman. This just provides a requirement of the Procurement Code concerning filings with the Comptroller apply to certain contracts and grants otherwise exempted from the Code. And the Amendment No. 1 makes a technical change to put the filing provision with the term "grant". I would appreciate your consideration.

132

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

PRESIDING OFFICER: (SENATOR KARPIEL)

Is there any discussion? If not, the question is, shall Senate Bill 1871 pass. Those in favor will vote Aye. Opposed, vote Nay.

The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On this question, there are 58 voting Aye, none voting Nay, none voting Present. And Senate Bill 1871, having received the required constitutional majority, is declared passed. Senate Bill 1874. Senator Dudycz. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1874.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Madam President. Senate Bill 1874 - basically, for each State agency that employs personnel with police powers would require - and police powers would be defined as one who is defined as a peace officer - that agency would be required to issue a badge to that officer that clearly does two things that it does not require now: that the -- that the agency's name is identified on the face of the badge and that an identifying number is given to that police officer -- on the face of the badge would be a number issued. Every local law enforcement agency in the State of Illinois issues badges to their peace officers that clearly identify the name of that town or the police department and the village, as well as a number that identifies that police officer. We have -- we have agencies in the State government, including the State troopers and -- and others, that just identify either inspectors or investigators without identifying what agency they are from or identifying that police officer. So, in effect, if

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

you are stopped by a -- by a trooper, for example, out in the street somewhere, if that trooper's name is covered somehow, he has a badge, or she has a badge, that just says Illinois State Trooper. It does not identify them. What this would require, that individual officer to be identified by a number and we would -- the public would clearly know what agency they represent.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? Senator Shadid.

SENATOR SHADID:

Thank you, Madam Chairman. I just want to commend my cohort, Senator Dudycz, for the great job he did as Chairman of this Commission. And I support this bill wholeheartedly. Thank you.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? If not, the question is, shall Senate Bill 1874 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On this question, there are 58 voting Aye, none voting Nay, none voting Present. And Senate Bill 1874, having received the required constitutional majority, is declared passed. Senate Bill 1875.

Senator Geo-Karis. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1875.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Madam President and Ladies and Gentlemen of the Senate, too often, telemarketers have taken advantage of disabled people and shut-ins and senior citizens with their solicitations. And what this bill -- this bill does, it amends the Telephone

134

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

Solicitations Act and it provides that it is an unlawful act or practice and a violation of the Act for any person engaged in telephone solicitation to obtain or submit for payment a check, draft, or other form of negotiable paper drawn on a person's checking, savings, or other account or on a bond without the person's express written consent. This bill is a necessary thing. It's supported very strongly by the AARP because, as I said, there have been too many cases of people being taken advantage of that

should not have been taken advantage of. And I -- I ask for a favorable vote on this.

PRESIDING OFFICER: (SENATOR KARPIEL)

Is there discussion? Senator Viverito.

SENATOR VIVERITO:

I rise in favor of this bill, because I think the sponsor deserves a lot of credit, and this will stop a lot of the people that were taking advantage, especially of our elderly. I hope -- and they -- everyone will vote Yes.

PRESIDING OFFICER: (SENATOR KARPIEL)

Is there further discussion? If not, the question is, shall Senate Bill 1875 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On this question, there are 58 voting Aye, none voting Nay, none voting Present. And Senate Bill 1875, having received the required constitutional majority, is declared passed. Senate Bill 1883. Senator Peterson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1883.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Peterson.

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

SENATOR PETERSON:

Thank you, Madam President. Senate Bill 1883 amends the Property Tax Code regarding the assessment of Section 515 low-income housing. In 1999, Senator Watson passed House Bill 1261, and this is basically a cleanup to that bill. In working with the Department of Revenue on development of the administrative rules for House Bill 1261 Enrolled, officials of that agency suggest three technical amendments that will help clarify certain issues and to help facilitate rule writing. I ask for your support of Senate Bill 1883.

PRESIDING OFFICER: (SENATOR KARPIEL)

Is there any discussion? If not, the question is, shall Senate Bill 1883 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On this question, there are 58 voting Aye, none voting Nay, none voting Present. And Senate Bill 1883, having received the required constitutional majority, is declared passed. 1888 is being held. Senate Bill 1899. Senator Mahar. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1899.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Mahar.

SENATOR MAHAR:

Thank you, Madam President. The -- when we did the electric dereg, we inadvertently double-taxed some utilities when we went from a gross receipts tax to a use tax. This clears that up. I know of no opposition and would ask for your support.

PRESIDING OFFICER: (SENATOR KARPIEL)

136

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

Any discussion? If not, the question is, shall Senate Bill 1899 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On this question, there are 58 voting Aye, none voting Nay, none voting Present. And Senate Bill 1899, having received the required constitutional majority, is declared passed. Senate Bill 1923 is being held. So we will go to the top of page 13 for Senate Bill 1929. Senator Peterson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1929.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Peterson.

SENATOR PETERSON:

Thank you, Madam President. Senate Bill 1229 {sic} in the 91st General Assembly is a follow-up to Senate Bill 937, which passed the 90th General Assembly. It imposes a lease tax on the leasing of qualified technical equipment. This tax is in lieu of the retail occupation tax or use tax. This bill went to the Governor's desk but was vetoed because there were concerns by AT&T, Ameritech, GTE and Motorola. Senate Bill 1929 is entirely the same as 937, except there is no opposition from AT&T, Ameritech, GTE and Motorola. And I ask for your support of Senate Bill 1929.

PRESIDING OFFICER: (SENATOR KARPIEL)

Is there any discussion? Senator Lauzen.

SENATOR LAUZEN:

Thank you, Madam President. Just -- I know that there was extensive conversation in the Revenue Committee on this. This is a replacement tax rather than a tax increase. Is that correct?

137

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Peterson.

SENATOR PETERSON:

Correct.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any further discussion? If not, the question is, shall Senate Bill 1929 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On this question, there are 57 voting Aye, none voting Nay, none voting Present. And Senate Bill 1929, having received the required constitutional majority, is declared passed. Committee Reports.

SECRETARY HARRY:

Senator Weaver, Chair of the Committee on Rules, reports the following Legislative Measures assigned: Approved for Consideration - Senate Amendment 1 to Senate Bill 1404, Amendment 1 to Senate Bill 1453, Amendment 4 to Senate Bill 1577, Amendment 3 to Senate Bill 1588, Amendment 1 to Senate Bill 1657, and Amendment 3 to Senate Bill 1658.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Rauschenberger, for what reason do you rise?

SENATOR RAUSCHENBERGER:

For purposes of an announcement. I'd just like to remind the Members of the hardworking Appropriation Committee that when we finish our work here today, roughly ten minutes after that, if people could be as quick as possible, we'll hear the balance of our posting. I think we have about six agencies. They're not as large agencies. We should be able to be done at a reasonable time.

Appreciate everybody coming to the committee room as quickly after Session as possible.

PRESIDING OFFICER: (SENATOR KARPIEL)

138

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

On page 6 - we're going to pick up three bills that came out of committee - on page 6, there is Senate Bill 1577. Senator O'Malley. Do you wish the bill called? Oh. Do you wish it returned to the Order of 2nd Reading for the purpose of amendment? Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1577. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 4, offered by Senator O'Malley.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Madam President. What this amendment does is add into the list of communities that -- that are part of this new authority that would be created under this legislation the City of Palos Heights, which had not got back to us in time for the other Floor amendment.

PRESIDING OFFICER: (SENATOR KARPIEL)

Is there any discussion? If not, all those in favor, say Aye. Opposed, Nay. The Ayes have it and the amendment is adopted. Any further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Next bill we're -- we're going to is on top of page 8. Senate Bill 1657. Senator Donahue. Senator, do you wish this bill returned to 2nd Reading for the purpose of an amendment? Senator Donahue seeks leave of the Body to return Senate Bill 1657 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1657. Mr. Secretary, are there any Floor amendments approved for consideration?

139

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

SECRETARY HARRY:

Amendment No. 1, offered by Senator Donahue.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Donahue.

SENATOR DONAHUE:

Thank you very much, Madam Chairman. This amendment does a couple of things. It spells out the membership on the Illinois Health Care Cost Containment Council which will read two members to represent the Illinois hospitals, at least one of which will represent a small rural hospital; two members to represent physicians; and one member from the surgicenters. It also will change the date for the collection of outpatient data. It will begin on January 1st, 2001, and full outpatient data collection will begin on January 1st, 2002. And I would move for its adoption.

PRESIDING OFFICER: (SENATOR KARPIEL)

Is there any discussion? If not, all in favor -- those in favor of the amendment, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. The next one is Senate Bill 1658. Senator Robert Madigan. I guess not. Just stay at ease for a few seconds, please. Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Madam President. I just wanted the record to reflect that had I been at my switch on Senate Bill 1875, I would have voted Yes.

PRESIDING OFFICER: (SENATOR KARPIEL)

The record shall so reflect. We are going to go back to the

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

Order of 3rd Reading to pick up the bills that were amended today.
So we will go back to page 4 on your Calendar, to Senate Bill
1231. Senator Dillard. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1231.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Dillard.

SENATOR DILLARD:

Thank you, Madam President, Ladies and Gentlemen of the
Senate. As explained earlier today on 2nd Reading when we put
this bill in order, this is a bill that comes from the Uniform
Laws Commission and deals with the total rewrite of the Secured
Transactions portion of Article 9 of the Uniform Commercial Code.
I don't want to put anyone to sleep here, but this is really the
-- what I call the crankshaft of the American economic engine.
Illinois is a big, major transaction State for major financial
transactions, and this makes some national uniform changes that
allow us to continue to be a competitive area for major financial
transactions in Illinois. Before I close, I do want to point out

that Secretary of State Jesse White's Office has worked in cooperation with us on this. There is a -- an advisory committee of the Secretary of State's Office that looks at these things. And the Secretary wants me to clearly warn you-all and all of us and the budget people that there may be some budget implications, needing a few additional personnel to implement this, but he'll have to come before the Appropriations Committee and dole it out with all of you. But I do want to point out, at the request of Secretary White, that he will need a couple of additional personnel to equip his office to be able to deal with these new requirements under this legislation. I'd be happy to answer any

141

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

question.

PRESIDING OFFICER: (SENATOR KARPIEL)

Is there any discussion? If not, the question is, shall Senate Bill 1231 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On this question, there are 57 voting Aye, none voting Nay, none voting Present. And Senate Bill 1231, having received the required constitutional majority, is declared passed. We'll

now go down the page to Senate Bill 1275. Senator O'Malley. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1275.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Senate Bill 1275 creates the Short-term Loan Act. There have been a series of amendments during committee, and -- and then subsequently one from the Floor. This legislation is the result of the work that has been done in our committee, where we had hearings, and also based on input from the Department of Financial Institutions, who was requested to conduct a study of -- of this industry -- or, the industry known as the -- the "payday loan" industry, as well as the "car title loan" industry. We believe we have a -- a solid piece of legislation here. With the amendments, we've attempted to be attentive to concerns that were expressed. I'm sure that not everybody's been addressed. There may even be some other issues that should this legislation pass from this Chamber and go to the House, that would be considered as well.

SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

But I would be happy to answer any questions you have. It's a comprehensive package, contains many provisions. And stand ready to answer questions you may have.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? If -- yes. Senator -- Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Madam President. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR KARPIEL)

He'll -- he indicates he'll yield. Senator Clayborne.

SENATOR CLAYBORNE:

Senator O'Malley, I have a couple of questions, if I may. As it relates to this bill, the businesses that are going to be impacted by this Act are primarily limited-purpose branches in -- in currency exchanges. Is that correct?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator O'Malley.

SENATOR O'MALLEY:

Currency exchanges are not part of this legislation.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Clayborne.

SENATOR CLAYBORNE:

I guess you didn't -- you didn't hear my -- my question. I said, the businesses that will be affected by this are limited-purpose branches that operate in currency exchanges. I'm not saying they're -- I'm saying the act of exchanging currency, not -- not the -- what we know to be a currency exchange.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator O'Malley.

SENATOR O'MALLEY:

Well, you made it clear. You're not referring to the Currency Exchange Committee or the currency exchanges that are licensed here in Illinois. If there is a -- such a company that falls

143

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

within the provisions of this that may be associated with a currency exchange, yes, it would be regulated by this law -- or, by this Act should it become law.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Clayborne.

SENATOR CLAYBORNE:

What percentage of these lenders are considered small businesses?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator O'Malley.

SENATOR O'MALLEY:

Well, I -- to the best of my knowledge, an argument could be made that most of them are small businesses in the sense that they're closely held. I don't of any of these companies that are

publicly owned.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you. Does this bill -- I mean, does this forbid short-term lenders from doing any type of business other than making these loans?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator O'Malley.

SENATOR O'MALLEY:

They would be permitted, with -- with -- with permission from the Commissioner of the Department of Financial Institutions, to engage in various activities.

SENATOR CLAYBORNE:

One -- one more question.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Lightford. I mean - I'm sorry - Senator Clayborne.

SENATOR CLAYBORNE:

144

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

Thank you. This bill says you can't operate a payday -- a payday or title loan store within one mile of a gaming facility.

Is there any evidence that people that are using these payday loan or title loans, are they using this -- this for gambling purposes?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator O'Malley.

SENATOR O'MALLEY:

Senator Clayborne, we not only had some testimony to that effect; we also had testimony that young people that -- at our colleges and universities, who may be away for the first time, were -- were using them as well, and, of course, their families, in many cases, were ending up to clean up the loan transaction. Why these young people would go and use these, I don't know, but the point is, the one year -- the one-mile limitation with respect to gaming establishments is the same mileage limitation with respect to colleges and universities as well.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Would the sponsor yield for a couple questions?

PRESIDING OFFICER: (SENATOR KARPIEL)

He indicates he will.

SENATOR JACOBS:

Senator, this bill, as I understand it, gives counties and municipalities the authority to dictate, by ordinance, where these lenders can be located within their borders. Does that mean that -- that a town or country {sic} can rezone a store out of existence?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator O'Malley.

SENATOR O'MALLEY:

145

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

Well, right now I think that if you're talking about existing facilities that are in place, I would think that there's a limitation not only on -- our ability to affect an existing location, but also on the municipalities because of contracts that may be in existence. With respect to future activity, they -- they -- you know, where they may want to be located, yes, this allows municipalities to, in effect, have a greater say than they currently have under the law as to where these businesses would be located within their community. When we have discussed this in committee, and -- and with people from the industry and, frankly, from people outside the industry who have come to testify before our committee, we -- we felt it was an appropriate imposition on this particular industry because of some of the reaction from around Illinois that we allow the locals to do a little more than they normally would do, first of all, and secondly, that this industry bend over backwards to have a more harmonious relationship with the communities in which they attempt to locate.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Jacobs.

SENATOR JACOBS:

So I take it by that answer that there is no grandfather clause in this legislation.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator O'Malley.

SENATOR O'MALLEY:

Senator, there is no specific grandfather clause; however, I think we could -- all understood -- or, and -- and I'll make it clear here: My understanding is the Constitution would protect existing contracts.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Jacobs.

SENATOR JACOBS:

146

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

...think, under normal circumstances, that would be correct, but I think if there's a renewal system that's involved here or a relicensure, I think, at that time, that -- that you would have that right to consider whether you're going to keep them there or not. So I think it -- it would behoove us to put a grandfather clause into this legislation.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? Senator Syverson. Oh. Senator Jacobs.
I'm sorry.

SENATOR JACOBS:

Yeah. There's a couple more questions here. Do -- do you
have any idea how many loan transactions took place last year?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator O'Malley.

SENATOR O'MALLEY:

I -- I know that the Department of Financial Institutions has
that number, Senator. I do not have it, so I'm unable to respond
to that. I -- I would also remind you that, in my opening
remarks, should this pass to the House, there will be an
opportunity to make further revisions in -- in the legislation, to
craft additional provisions that may be necessary based on, for
instance, the comments that you have made.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Jacobs.

SENATOR JACOBS:

Well, it's my understanding there's -- there's hundreds of
thousands of loans that had been made, and I -- as I understand
it, there were only twenty-one violations of the Consumer
Installment Loan Act that were recorded by the DFI last year. And
my only point, I guess, I have, Senator, in -- in this entire
legislation, there appears to be people who are utilizing these
establishments and these services. Whether you think it's right

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

or whether I think it's right, I think -- we're a little presumptuous by telling people that they cannot take advantage of the system that they feel suits their needs or may be the only place where they can get that immediate loan at one time, and that concerns me with this legislation. And that doesn't need an answer. It's basically just a comment to be made, and I -- I ask for a No vote.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? Senator Syverson.

SENATOR SYVERSON:

Thank you. I just rise to ask -- reluctantly ask just a couple questions regarding this legislation. In here, it -- we -- we prohibit them being located within a mile of a -- a gambling facility or a public or private college. Outside of that, are there other regulations of where these facilities can be placed?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator O'Malley.

SENATOR O'MALLEY:

There is not necessarily, specifically, but I think, Senator Syverson, you're getting to what Senator Jacobson -- or -- or, Jacobs was talking about with respect to the -- the expansion of the ability of our local governments to say more than they -- they currently are under the law as to where they may be located within

their community.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Syverson.

SENATOR SYVERSON:

So if a -- if a -- if an area is zoned commercial or it's zoned retail and there's other financial institutions in that area, whether they're finance locations, whether they're currency exchanges or others, there'll be a separate set of laws that -- that would state that -- that they would have to get separate

148

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

permission to be able to have a cash station in that particular location, even though it's zoned already for commercial use.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator O'Malley.

SENATOR O'MALLEY:

Senator Syverson, as specifically as I can be with the provisions that are in the bill, it requires that the -- that this payday lender or car title lender, the entity regulated under this Act, would need to produce a certificate from the local government in which they're doing business certifying that they are in compliance with the laws -- local laws and regulations.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Syverson.

SENATOR SYVERSON:

I guess a couple questions then. So they need to get -- these cash stations have to go to their local government and each year get permission from them or get a certificate from them saying that it's okay that they stay in business so that they stay in that location, and that then -- that certificate is sent down to the State for approval?

SENATOR O'MALLEY:

Senator Syverson, that is part of the licensing requirements, yes.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Syverson.

SENATOR SYVERSON:

I guess that's some of my concern. We don't do that for any other -- in any other business or any other financial business; yet, here we're saying to -- for cash -- for -- for payday facilities, that they have to get special permission, they have to get okayed from the local governments, even though it's in a area that is zoned for commercial. And the existing facilities that

are there now that may be grandfathered in, they'll have to go back each year, still, and get permission to stay in business from the local government. So I guess that goes to Senator Jacobs' question. We can't grandfather these in if they have to go back each year and get a permit that would allow them to stay in business.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator O'Malley.

SENATOR O'MALLEY:

Senator, I -- I've heard your -- your point, and it's very similar to what Senator Jacobs mentioned. And -- and I would suggest to you that as -- should this process be able to continue this Session, that I will certainly do everything I can to address your concern by working with whoever may handle this legislation in the House.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Syverson.

SENATOR SYVERSON:

Just lastly, in closing: My concern is this -- this only addresses the -- where facilities are going to be located and it doesn't really address some of the abuses that go on with -- with these payday facilities and the outrageous rates that they charge and how they can take advantage of individuals. This legislation doesn't affect all of that. It only affects where a local community wants these places to be located. And I think it sets a -- a bad precedent when the State starts determining how individual types of businesses -- where they can be located in a

-- in a city. Thank you.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Walsh, Thomas Walsh.

SENATOR T. WALSH:

Thank you, Madam President. I move the previous question.

150

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator, I believe there are -- ten speakers still. Senator --
Senator Welch -- Welch.

SENATOR WELCH:

Thank -- thank you, Madam President. I'd like to ask a
question of the sponsor.

PRESIDING OFFICER: (SENATOR KARPIEL)

He indicates he'll yield. Senator Welch.

SENATOR WELCH:

Senator O'Malley, for new businesses getting into this
occupation, don't they have to have a -- a
two-hundred-and-fifty-thousand-dollar net worth to begin? Is that
true?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator O'Malley.

SENATOR O'MALLEY:

As this legislation is drafted, if you are going to be a new business, under licensure, under this Act, that is correct, Senator.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Welch.

SENATOR WELCH:

And if you're a business already existing, prior to this becoming law, you only have to have a net worth of seventy-five thousand dollars? Is that correct?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator O'Malley.

SENATOR O'MALLEY:

Seventy-five thousand dollars or fifteen percent of -- of the amount of the total loans you make in the State.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Welch.

151

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

SENATOR WELCH:

Well, wouldn't that be considered grandfathering in the existing businesses at the locations they are, and the license

holders?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator O'Malley.

SENATOR O'MALLEY:

Senator Welch, what we heard last week, what came from -- it came up in committee last week. One small businessperson - as a matter of fact, here in the Springfield area, who owns four of these - pointed out that, I believe -- and I -- don't hold me to the exact number, but it was in the low hundreds of thousands, perhaps a hundred and ten, hundred and twenty thousand dollars' worth of loans. And so what we did by crafting the amendment that we dealt with in committee today, which was a Floor amendment and is now part of the bill, was try and balance the interests of smaller companies that may be in existence today in Illinois with -- with -- with, you know, concerns about the larger such companies that are coming into Illinois and are already here in Illinois.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Welch.

SENATOR WELCH:

Well, it just seems to me like that is a perfect definition of grandfathering in an existing business while we change the rules for future businesses. Wouldn't you agree with that?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator O'Malley.

SENATOR O'MALLEY:

We -- we were attempting to balance some concerns that were expressed to the committee, and I think, frankly, very valid concerns that were expressed, saying you are going to, in effect,

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

put this small businessperson out of business. Other existing businesses are still subject to the fifteen-percent limitation. So if you're making a million dollars' worth of loans, you're going to have to have -- under this Act, the way it's drafted now, you would have to have a hundred-and-fifty-thousand-dollar requirement. If you make three -- three million dollars' worth of loans, obviously the number rises.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Welch.

SENATOR WELCH:

All right. I understand that. Let me ask you a question about the annual percentage rate interest rate. My understanding is the Department of Financial Institutions has stated that finance charges in Illinois are typically set between twenty dollars and twenty-two dollars per one hundred dollars borrowed every two weeks. Is that your...

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator O'Malley.

SENATOR O'MALLEY:

Senator, the rates vary, depending on whether it's a car title

loan or whether it's a -- which is a secured transaction via vehicle, versus a payday loan, which, of course, is secured by a check - the -- the former being considered less risky and therefore their annual percentage rate - what was reported back to us - is in the neighborhood of three hundred percent per annum, and for the payday lenders, approximately five hundred percent per annum.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Welch.

SENATOR WELCH:

Well, that -- that's, you know, basically the problem I see with the bill. There's a -- there's a possibility this year of

153

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

doing something about these payday loan corporations, and instead we're -- we're worried about where they're locating in a city and getting people to think we're really accomplishing a major change, while this is more of a cosmetic change. And we even have the Municipal League pushing it, which it's kind of a bizarre group to be pushing a bill that should be a bill that takes care of people who are being preyed upon by this type of an industry. Three hundred to five hundred percent a year interest rates - that's --

that's unconscionable, and, yet, we're letting them get away with it. We're saying nothing because we want to continue, apparently, the lack of a usury law in the State of Illinois, when the purpose of a law such as that is to help people who have to have money, have to have it right away. And it's basically legalizing "juice" loans in the State of Illinois, is what it comes down to. And I think this is a -- a sad thing, to pass a bill like this and pass by the opportunity to actually accomplish something good for the people of the State of Illinois.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator del Valle.

SENATOR DEL VALLE:

Thank you, Madam President. I have a question and a comment.

PRESIDING OFFICER: (SENATOR KARPIEL)

State your question.

SENATOR DEL VALLE:

Senator, does this bill prohibit initiation fees and subsequent fees?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator O'Malley.

SENATOR O'MALLEY:

Senator, yes, they do.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator del Valle.

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

SENATOR DEL VALLE:

To the bill: First, let me say that I'm sure we've all heard from a lot of folks today who want to see this bill not get out of here, and it's interesting that some of them are using the interest rate argument, which, by the way, I agree with, because I think that the main issue out there, the main problem, is the lack of a cap on these interest rates. And I would hope that, at some point, we would be able to address that. But it's interesting that those individuals, some of those folks who don't want a bill at all, don't want any kind of regulation, are now talking about this not having an interest rate cap. I find that very interesting. And, certainly, I'd love to have an interest rate cap, and I will continue to fight for one, not just for payday loans, but also for the Household Finances of the world that come into my community and charge twenty-seven, twenty-eight percent for consumer loans. They're ripping off people left and right also, and their lobbyists are here trying to derail this bill. Why? Because they're trying to protect the entire industry that shouldn't be protected. Regulation is needed. This area is crying out for regulation. There has been an explosion - an explosion - of payday loans. You find 'em in currency exchanges; you find 'em everywhere in the City of Chicago. They're in the suburbs. You're going to see a proliferation throughout the State. Car title loans. People are losing their cars. This bill

places limits on the car title loans. And so, Senator O'Malley, I've been to the hearings. I've had lots of discussions with you about my desire to see an interest rate cap. This bill doesn't have it, but this bill is a step in the right direction, and we ought to move it out of here.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Lightford.

SENATOR LIGHTFORD:

155

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

Thank you, Madam President. Ladies and Gentlemen of the Senate, I initially supported Senate Bill 1275. It took many good first steps towards regulating the payday and title loan industry. There was a task force put together. They had findings that supported that there needed to be regulations via the Department of Financial Institutions. However, many consumer groups point out that the most damaging aspect of this industry is the exuberant interest rates that these lenders charge. According to the Department of Financial Institutions, the annual percentage interest rate that these companies charge can exceed one thousand percent and is usually over five hundred percent. For example, a customer borrowing a hundred dollars for two weeks will pay back

twenty dollars. The annual percentage rate on that loan is 521.43 percent. This translates into a daily interest rate of 1.43 percent a day. If a borrower were to write a postdated check to cover the cost of that loan, the borrower would write a check for a hundred and twenty dollars, just for a two-week period, which is really ridiculous. Senate Bill 1275 does prohibit the charging of origination fees, but it does nothing to address the incredible interest that these lenders charge. In fact, by prohibiting fees without capping interest rates, the interest rates may actually increase, as a result of this legislation, as lenders move to make up for the money that they will lose as a result of not being able to charge fees. I sponsored an amendment in the Financial Institutions Committee which -- would have limited the interest that these lenders could charge to forty percent over the prime rate. The prime rate is currently about 8.5 percent. Our amendment would have limited the interest that these lenders could charge to less than fifty percent, which is much less than the average five hundred percent. The amendment was assigned to the Subcommittee on Lending. This committee has not met yet to even discuss the opportunity of visiting the interest rate fees. I

156

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

feel that we have the opportunity to address the full problem and that we have failed to do so in the Financial Institutions Committee. Why should consumers take what they can get from us when they deserve better and we're in a position right now where we have the ability to give them much better? Without an interest rate cap, Senate Bill 1275 does not address what most needs to be addressed with regards to this industry. It does not stop the legal loan-sharking. Therefore, I will be voting Present and I would urge that you also vote Present.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Shaw.

SENATOR SHAW:

Thank you, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR KARPIEL)

He indicates he will. Senator Shaw.

SENATOR SHAW:

Senator -- Senator O'Malley, who -- who regulates this agency?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator O'Malley.

SENATOR O'MALLEY:

Department of Financial Institutions.

PRESIDING OFFICER: (SENATOR KARPIEL)

Excuse me. Just a minute, Senator Shaw. It's getting a little noisy again. Senator Shaw.

SENATOR SHAW:

Could you tell me -- I think that -- well, you have already stated that they have to put up -- the current establishments, it's seventy-five thousand or fifteen percent of the outstanding loans. When you say Financial Institutions regulates them, how do

they regulate them? Can you tell us that?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator O'Malley.

157

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

SENATOR O'MALLEY:

Currently, they are regulated under CILA, the Consumer Installment Loan Act.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Shaw.

SENATOR SHAW:

The -- does that mean that they regulate them the same as they would a currency exchange or a Household Finance, or Bob Elston, or what does that mean?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator O'Malley.

SENATOR O'MALLEY:

I believe that you're correct that Household Finance is covered under the CILA, but I don't believe -- in fact, I know that currency exchanges are not; they're operated -- or, they're regulated under their own Act.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Shaw.

SENATOR SHAW:

The -- let me ask you, does -- in order to regulate, do they take payday's word for it, or what do they do in terms of regulating them? That's what I'm trying to get at, in terms of how they regulate them. Do they go out and talk to 'em? Do -- is there -- do they send somebody in to talk to 'em, or -- or the payday submits something to Financial Institutions? How do they regulate 'em?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator O'Malley.

SENATOR O'MALLEY:

Well, currently, they -- some of the highlights probably would be that they have to maintain a thirty-thousand-dollar-net-worth position. They -- they're subject to audit and -- yeah, on a

158

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

random basis. And if -- if I could, as part of answering, suggest to you that what's in this bill -- many of these very provisions that are contained in this bill were actually suggested at the witness table not only by people who are concerned about this industry, but the people who are actually making up the industry

who basically came in and said, "We know something's going to happen to us. Let us tell you what good practices would be", and suggested many of the good practices. And so when we saw something that was good practice, we -- we took note of it and included it here. But many of those elements are not currently permitted under CILA.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Shaw.

SENATOR SHAW:

Are you sure that -- I'm told that Financial Institutions does not do an audit, that -- on these payday loans and that they submit a report to Financial Institutions. Are you sure that they do an audit?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator O'Malley.

SENATOR O'MALLEY:

First of all, they do have some reporting requirements, Senator. That's correct. But they are also -- we have been advised by DFI that they do perform random audits.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Shaw.

SENATOR SHAW:

On -- certainly, I want to -- I know you probably have good intentions, but the -- to the bill. The -- but I think you have been misled by the people that you have been talking to. The payday loan, where that -- I had a senior in my office this morning who talked to me about Senate Bill 1275, a young lady that

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

-- where that they had taken her car. But let me ask you another question, before I get to that. How many times are they permitted -- a borrower permitted to roll the loan over?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator O'Malley.

SENATOR O'MALLEY:

Right now, under the -- under this regulation that they have now, they're allowed to roll over three times.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Shaw.

SENATOR SHAW:

On the interest rates that was just expressed by Senator Lightford, is that compound interest, every time that roll over?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator O'Malley.

SENATOR O'MALLEY:

As a matter of fact, yes, it does compound and -- and -- and this package that is before us today prohibits compounding.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Shaw.

SENATOR SHAW:

To the -- to the bill: You know, in my -- I happen to have one of these places located in my community - Dolton, Illinois - and unsuspectingly, the people go in there and put their car up, or whatever they require you to put up - the title to the car or some other stuff of value - but what -- what -- what eventually happens is that that person -- my comptroller at the village hall -- these people then turn around, if they miss the payment, and garnishee -- we have a number of garnishments, as a result of payday loans. And while this is going on, this bill does not affect that. It does not deal with that question. These people come into a community, rape the community, have caused

160

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

foreclosures in communities on homes and have -- we talk about the homeless and taking care of them; we're going to have more of 'em unless we do something real beneficial. And I don't agree with, "This is the first step". I think that we should deal with the whole problem here. There's a problem that -- I don't see any different than -- in these places, than what they call "juice" money. Now, juice money, that's compound interest and all of that, the way I understand it. That's what these people are doing, but they're doing it under the color of law, and we're

allowing those people to get away with it. I think that's wrong. I think it's bad for Illinois. I think it's bad on the families of Illinois. I think it's bad on the children of Illinois. And I think that you should certainly take a look at this bill and amend the bill where -- and make these people more responsible. This is not a first step. This is a bad bill. As a matter of fact, it's one of the worst bills that I've seen since I've been in the Legislature in terms of dealing with the public and trying to help 'em, telling them you're trying to help 'em. All you're passing 'em is a carrot here, and the carrot don't have nothing at the end of it. And I know that's not your intent, and certainly I would hope that you would -- after they get through debating this bill, that you'd pull it out of the record and take another look at it and let's come up with a better bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? Senator Cullerton.

SENATOR CULLERTON:

Thank you, Madam President, Members of the Senate. It seems, Senator O'Malley, that you have put together a bill here that seems to -- on the spectrum, the political spectrum, there's people who think that they're against it 'cause it doesn't go far enough and that would be people who think that the government ought to really regulate and protect consumers from this type of a

SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

practice. And yet, if you look at it from the point of view of a -- a conservative, or even a compassionate conservative, you have materials -- you have things in here which really interfere with normal business practices. One of the things that I noticed was that if a licensee recklessly makes a loan to a borrower who's obtained a loan from a licensee under this Act sooner than thirty days after that loan has been repaid, they're guilty of a Class 4 felony. So if some employee, some clerk, makes a technical error in their office, they could be charged with a Class 4 felony. We don't charge people who have loaded weapons with a felony - that's still a misdemeanor - but you make it a Class 4 felony. You also get involved in local zoning in this bill. You actually create -- I think it's on page 21 of the bill - you allow for the counties to kind of create a "red-light" district. They can create their own little red-light district, a special geographical zone where they can license based on aesthetic standards. So if the local governments don't like the -- the size or the color of the -- of the -- the walls or the signs, they can -- they can, in effect, ban these. So I really -- I really don't believe that it's well drafted. I think that there are some things in here which are really interfering with these particular institutions. And then you've heard the criticism, obviously, by some Members of the Senate as to why it doesn't go far enough to protect people. So I really think it's something that ought to be -- you ought to be -- you ought to start over on. You know, even -- even the idea of the -- the net worth of the company, there might be a

misunderstanding. These things aren't banks. They're not holding people's money. They're lending money - unsecured. So why -- why do we require them to have a net worth requirement? I mean, why don't we require grocery stores to have a net worth requirement? I -- I just don't -- that part I don't understand. They're not holding people's money. They're lending money. So, I -- I think

162

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

what you're trying to do is you're trying to put 'em out of business, but not do it in the right way. So, it seems like you've kind of garnered a lot of opposition from both sides of the spectrum. I certainly think it -- we should start over again, vote No on this bill and see if there's not another approach that we could take later on in the Session to this issue.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Madam President and Ladies and Gentlemen of the Senate, I concur with Senator del Valle's remarks. This may not be the best bill, but it's still a bill in the -- it's a step in the right direction. And when you want to talk about guns and authorized possession of guns not being called felonies, well, you have

drunken drivers that are -- that are termed "misdemeanants". So let's not get far afield with this. This bill is supported very strongly by the AARP. They know that it isn't the best bill. At least we started out something, and the detractors don't want anything done. And I would suggest we pass this bill out and let the House do any -- more changes that may be necessary to make it a better bill, but let's not get carried away with the fact that it doesn't do this and it doesn't do that. At least we've started something in the right direction. There was a woman who came to my office. She needed a five-hundred-dollar loan just to fix her porch. Her house is fully paid for. And one of these smart characters had her sign papers where she got a sixty-five-thousand-dollar loan on her house. She never had a mortgage before. It was all paid for before. And she was stuck with this mortgage, and this character made a good bundle off of her. These are the things we're trying to stop. So let's not dally. Let's try and do something that's constructive. As I said, it's not the best bill, but it's a step in the right direction and I support

163

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

it.

PRESIDING OFFICER: (SENATOR KARPIEL)

There is no further discussion. Senator O'Malley, to close.

SENATOR O'MALLEY:

Thank you, Madam President. And again, Ladies and Gentlemen of the Senate, thanks for being patient and -- and also for the good questions that came forward. Picking up on Senator Geo-Karis' remark that this is supported by AARP, let -- let me also tell you that it's also supported by the Catholic Conference, the Attorney General, the State Treasurer's Office, the Department of Financial Institution(s) and even the Municipal League. You know, yes, the -- the current regulation of these allows for three rollovers. This bill, as drafted, would allow for two rollovers, and I'm disappointed that our Minority Spokesman has come to the conclusion she has, but I respect her judgment. But this requires two -- this permits two rollovers, as opposed to three, and in addition, it says that when you come in and do your rollover, make a twenty-five-percent principal reduction, and by the way, when you come in and do your second rollover, if you're going to qualify for it, you must also engage in some consumer counseling. You know, when I started hearing about this, I thought to myself why would anybody in their right mind pay the kind of interest that was being talked about in the newspapers and largely coming from Members of the House of Representatives. Let me read to you from one of our Chicago newspapers, the Chicago Defender. This is an editorial that was published on February 12th. "Payday lenders provide a viable alternative to being broke, hungry, or without a means of transportation to get to work. As long as borrowers keep their end of the bargain, the fees may not be too extraordinary {sic} (exorbitant). A proposed interest rate cap on payday loans

could threaten to put these operations out of business. Another proposal to limit the number of times a loan could be extended

164

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

seems more reasonable and workable for both - the consumer and the loaner. Legislators should do what they profess to do best and come up with a workable solution that is reasonable for all..." Now, for those of you who have decided in your mind and have expressed here on the Floor that the better alternative is to just kill this bill, let me inform you what occurred over in the House. If you really want to do something about this industry and begin the process of doing something, this is the vehicle to do it this Session; otherwise, it probably will not happen. The reason for it is very simple: Representative Dart who, on behalf of the House of Representatives, has taken the lead to work in this area, his bill did not even get out of committee. So this is probably the vehicle that's available to allow for some reform, some regulation that is needed and required, as far as I'm concerned, based -- based upon more than six months of study both by our committee and based on recommendations from the Department of Financial Institutions.

PRESIDING OFFICER: (SENATOR KARPIEL)

All right. Oh! I'm...

SENATOR O'MALLEY:

I've just started. No, I mean -- I'm kidding. I'm not -- not at all. And for those of you who don't want to do anything and would prefer to see -- let's say we put caps on it. I'm told by this industry, and -- and the Chicago Defender picks up on this, that it literally will put them out of business, legally. What that means is exactly what you're looking for -- or, not looking to see happen, and that is the expansion of the way these loans used to be made, without any oversight whatsoever with consumer protections, is exactly what we'll get. In fact, the -- the attorney representing the Department of Financial Institutions, when questioned about this in committee, said, "If that happens, we'll probably force all this activity back underground", which

165

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

is exactly where we, in the General Assembly, should not want it to be. I could read the merits of this bill to you. We have debated this long. We have spent a lot of time working on it, and, again, the suggestions that have come forward from consumers, from AARP and -- and other quarters across the State have been placed into this legislation all for the purposes of continuing

the debate. Is it a perfect bill? We've had that debate before. There's no perfect bill, not this bill or any other bill. We have an opportunity, Ladies and Gentlemen, to begin the process of reforming the regulation of this industry, a new industry in the State of Illinois. Let's allow this process to continue in the House of Representatives where, hopefully, I'll be able to work closely with whoever the House sponsor may be, to come back and -- and see it again with some refinements. Thank you for your time this afternoon.

PRESIDING OFFICER: (SENATOR KARPIEL)

The question is, shall Senate Bill 1275 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On this question, there are 25 voting Aye, 11 voting Nay, 20 voting Present. And Senate Bill 1275, having not received the required constitutional majority, is declared failed. Senator O'Malley.

SENATOR O'MALLEY:

...Consideration.

PRESIDING OFFICER: (SENATOR KARPIEL)

Postponed Consideration. Senate Bill 1276. Senator del Valle. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1276.

(Secretary reads title of bill)

3rd Reading of the bill.

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator del Valle.

SENATOR DEL VALLE:

Thank you, Madam President. This bill provides that a person is not required to be an attorney to represent a taxpayer before the board of review. And also, with the amendment, it provides for published assessment lists and mailed assessment increase notices to include a statement that if an individual taxpayer wishes to appeal an assessment, he or she is not required to be represented at the appeal hearing by an attorney, tax consultant, or any other representative and may represent themselves.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Petka, for what reason do you rise?

SENATOR PETKA:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR KARPIEL)

He indicates he will.

SENATOR PETKA:

Thank you. Senator, in -- in reading over this legislation, it is my understanding that what you are trying to do is to open up the process to individuals who are not attorneys to practice before the Cook County Board of Review. Is that correct?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator del Valle.

SENATOR DEL VALLE:

What we're doing with this legislation is making sure that Cook County is treated the same way as the rest of the State. So...

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Petka.

SENATOR DEL VALLE:

...as it stands right now, it's only the Cook County Board of

167

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

Review statute that mentions attorney; the rest of the State, other boards of review, do not mention the need for an attorney.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Petka.

SENATOR PETKA:

But, Senator, isn't it a fact that for nearly four decades, that the practice of -- before quasi-judicial boards, such as the board of review, have been consistently held to be the -- the practice of law?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator del Valle.

SENATOR DEL VALLE:

I think that there is not agreement on that. Certainly the lawyers will argue that, but we are not in agreement. If that were the case, then what would happen to the rest of the State outside of Cook County? Cook County is not a state in itself. We don't have two states in the State of Illinois; we have one. And so, how could once -- one thing apply to Cook County but not to the rest of the State? I -- I don't understand that.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Petka.

SENATOR PETKA:

Well, it's my understanding that, under our Constitution, only the Illinois Supreme Court is authorized to determine who may practice law and under what conditions, and in -- in your bill and what you are saying is that individuals who are not -- who are not -- who have not been authorized to practice law in the State of Illinois will be permitted to appear before a quasi -- quasi-judicial body where rights of individuals are being adjudicated. And it just seems to me that, even though it is fashionable and it has been for some time to basically bash lawyers, there's a very sound reason why attorneys should be

involved in the process. Whatever may have been the -- the situation that prompted this legislation in Cook County, it seems to me that this is not an idea whose time has come. This bill would allow anyone to represent taxpayers before the board of review, individuals who -- who may not be required to carry malpractice insurance, individuals who may not have really any idea of what is involved in this type of process. I would urge a No vote.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? Senator Obama.

SENATOR OBAMA:

Thank you very much, Madam President. Just a quick comment on this. I -- this is an issue, obviously, that's sensitive to many of my colleagues in the bar. We don't like seeing people encroaching on our turf, and, you know, I think oftentimes that's appropriate. But I think that in this particular situation -- I recorded a Yes vote in committee and I plan to vote Yes on the Floor, and the reason is, is because during testimony I think it became clear that what was primarily at issue here was the ability of an individual who is challenging their property tax assessment to be able to bring in consultants who, in fact, have great expertise in this field, essentially want to serve as expert witnesses, but, in fact, do not charge as much as the attorneys who are practicing before the board of appeals. It strikes me that not everybody in this circumstance can afford to hire an attorney, that most of the time the attorneys are not presenting evidence or doing the other activities that would require legal

training, that many of the tax consultants who are working on behalf of these individual clients know at least as much, if not more, as the attorneys who are practicing before this body. For those reasons, I'm going to be supporting this bill, and I'd urge an Aye vote.

169

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? Senator Molaro.

SENATOR MOLARO:

Thank you, Madam President. I've never spoke actually with the -- right next to me. It's kind of awkward. Anyway, I don't know, Face, maybe we could resolve this and...

PRESIDING OFFICER: (SENATOR KARPIEL)

Maybe you could use Senator Hendon's microphone.

SENATOR MOLARO:

No, no, this is fine. This is fine. It just was a little strange. The only -- the only objection I have to this bill -- and Senator Obama put some eloquence about whether you need a lawyer or not. I'm -- I'm more into just going a little bit lengthy. More on what Senator Petka said, is that it's not so much that whether they need a lawyer or not; the one thing now, if

you're represented by a lawyer and a lawyer either does a bad job, takes your money, charged an exorbitant fee, we have the Bar Association and ARDC that we could go after the lawyer - you know, normally carries malpractice insurance. The problem I have here is that I don't know what the lawyers would be replaced with. We just had a bill that we went over, trying for -- and -- and Senator O'Malley did a -- a nice job trying to figure out exactly how to regulate it. This would be an industry where we're coming in now and saying, here's what we're going to do, we're going to take out the lawyers, and we're going to replace him with anybody. Anybody could go out and do it without regulation and represent people. What we're doing now is saying, if the assessor doesn't give you what you want, we're going to have all -- right now, you're not going to have nonlawyers knocking on everybody's door. If this passes, we're going to create a whole new industry out there. We don't know what that industry's going to look like. We'll have people knocking on everybody's door, saying, hey, give

170

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

me a hundred or two hundred, I'll go to the -- right up to this bar. I think what we need is, maybe, we could open this up, as Senator Barack said -- Senator Obama said, but I think there's

also -- we -- if we're going to pass a bill like this, we have to have something in the legislation when we pass it, safeguards for the public, as to who's going to fill the void if we take these lawyers out. I don't see it, and therefore I'm voting No.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Madam President. I -- I guess, Senator del Valle, I guess my -- my question is a little bit more for clarification. In Cook County, you must be a lawyer to represent someone before the board of review. Isn't that correct?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator del Valle.

SENATOR DEL VALLE:

For -- only for Cook County. That is what the statute says.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Dudycz.

SENATOR DUDYCZ:

So nowhere else in the State you must be an attorney to represent the -- the appellant. Right?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator del Valle.

SENATOR DEL VALLE:

That's correct.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Dudycz.

SENATOR DUDYCZ:

Okay. Now, in our -- in -- in Cook County we have -- one of our colleagues was talking about the -- the necessity of having an

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

attorney, a quasi-judicial board of review, where attorney would be best suited to represent the taxpayer. What -- is there any requirement of the board of review to be attorneys, or -- or are the current three member -- members of the board of review attorneys now?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator del Valle.

SENATOR DEL VALLE:

Senator, number one, there is no requirement that the person running for that spot, because it's an elected spot, be an attorney. Number two, none of the three members are lawyers. Number three, all -- most of the staff, if not all the staff, reviewing the cases are not lawyers. So what we're saying here is only the poor taxpayer, who then has to give up fifty percent of the savings that are won, has to have a lawyer, in Cook County only.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Dudycz.

SENATOR DUDYCZ:

Well -- well, Senator del Valle, I commend you for this

wonderful piece of legislation. I -- I -- I'm surprised. I thought that everybody in the State of Illinois, when their poor taxpayers had to appeal their -- their assessment, they all had to go to attorneys, and I just found out that only we, in Cook County, are -- are being required to have attorneys represent us. I think this is a good bill and you are to be commended for it.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Madam President and Ladies and Gentlemen of the Senate, I have never been a hungry lawyer and I'm sick and tired of the hungry lawyers that have to represent these poor people before the Cook

172

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

County Board of Review. In my county, you don't need a lawyer to represent you. You can go by yourself. You can ask someone to help you. And for heaven sakes -- and I'm a lawyer of many years, more so than any one of you, and I can tell you right now, don't -- I don't want to hear this fiddle-faddle about, "Oh, what are they going to do?" If the people want to do it on their own, let them do it. They do it in my county. So for heaven sakes, let's give a good vote to this bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Madam President. I'm rising to declare a potential conflict, and I'll be voting my conscience on this.

PRESIDING OFFICER: (SENATOR KARPIEL)

All right. Further discussion? Senator Hendon.

SENATOR HENDON:

Thank you, Madam President. Once again, Senator Geo-Karis reaffirms the reason why I love her so much. Even though she's an attorney, she still has her integrity. Not that all lawyers don't have their integrity, but she clearly has hers and that's why I love her dearly. It makes no sense for the people of Cook County to be treated differently than the rest of this State. The agency in question here -- and I look up and I see former President of the Senate, Tom Hynes, who was the Assessor in Cook County. If it -- to deal with these property issues before the assessor's office and now we have Assessor Houlihan, you don't have to be an attorney. To say that the former President of this Senate doesn't know what he's doing, is outrageous. Yesterday we had a bill about this same board, this same board of review and corruption on that board, same board of review where poor people can't get justice, same board of review where none of them are attorneys, nor are the people reviewing the cases attorneys, and all Senator

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

del Valle is trying to do is reform. Reform - a Republican thing to do, and he is quite Democrat. But it's the right thing to do, regardless of party. Other people will get up and argue because they have a personal interest and that's just not right. Let's do something for the people of Cook County, just like we did for the rest of the State, and allow them to make their own judgment if they have to hire an attorney or not. And to give an attorney fifty percent is absolutely outrageous. Let's do something for the people today, not just for -- and I have been supported by the lawyers, and I hope the lawyers keep supporting me after today, but if they don't, I'll get del Valle; he'll -- he'll -- he'll get me reelected. But let's not let this one board -- this one board -- this is the Cook County Board of Review. It's been all over the Sun Times, all over the Tribune. If you pay, you get your reduction. You get a high-priced lawyer. Average people - and this is the truth; I've been there - average people, theirs get put on the back docket. We'll see you in thirty days. We'll see you in ninety days. We'll see you in a hundred and twenty days. But if you hire a high-priced lawyer, you go straight to the front of the line. Let's do something for the people of Cook County and not for some people's personal interest.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Geo-Karis, for what reason do you rise?

SENATOR GEO-KARIS:

I apologize for the second time. I just wanted to point to my good friends on both sides that the Assessor of Cook County, Jimmy Houlihan, with whom I went into the Illinois House, is not an attorney himself.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Madam President. I -- unfortunately, to my good

174

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

friend, I told him I wouldn't rise, but, you know, I think that a lot of people have misled this Body. For instance, if you're pro se, if you -- if you own your own home, you can go before the -- the -- the board and present your case. In fact, as it came out in -- in the committee, that a lady came in and she was a tax consultant, or tax expert, whatever it was, and -- and basically she had worked in that department for awhile, so now she's an expert. And -- and let's really -- let's -- let's think about that. If I work in a pharmacy, and I've watched the pharmacist put medicine in a bottle. I come back, and I can read the labels. I come back; I can read the prescriptions. Now, I've worked there for twenty years. Now, after twenty years, am I a pharmacist

expert? Should I be allowed to practice pharmacy? And -- and -- and the reason why you don't is because they're required to take a test; they're required to have minimum standards. Lawyers are required to have minimum standards. They're required to take a test. They also have ethical obligations that they must meet. Must train. We have to take a test for that and pass that test before we -- we even are able to take the bar -- and pass the bar, rather. But the issue is, in here, is can a taxpayer go before -- a homeowner go before the board and represent themselves. Yes, they can. Now, why do lawyers seem to go front -- go to the front? And -- and, obviously, it -- it's what's called fundamental fairness. They're paying this person by -- this lawyer by the hour. Why wouldn't they let them go? Why wouldn't they? To cut the -- to keep the rate down. To keep the cost down. That's why they're letting them go to the front. Now, if there are -- if there are fundamental problems with how the process is being implemented and people aren't being treated fairly, that won't change because you're letting nonlawyers go before the board. That won't change, but what will happen is, if you give nonlawyers the same opportunity to go before the board, I

175

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

guarantee you that they will charge fifty -- fifty percent. 'Cause what stops them from charging fifty percents -- fifty percent? They're going to compete with the lawyers. I'm a lawyer now. I'm a nonlawyer. I could do it. I could charge -- well, no, I won't charge fifty percent; I'll charge forty-nine percent. There's nothing to charge -- stop them from doing that. So we're not changing this. What we're telling the public now: It's all right because somebody puts up a sign or puts an ad in the paper saying I'm a tax expert, that now you can hire me and I can go before and get your taxes cut. Clearly we don't want to send the message to the general public that anybody can do this, that we're not requiring any standards at all other than somebody labeling themselves as a tax expert. And I guarantee you that you'll -- you will allow -- if you let this pass, you will really allow lawyers to make more money, because they're going to have to clean up the problems and sue these apparent people who have labeled themselves tax experts. And that's what you're doing. You're opening up the floodgates. You're telling the public that anybody and everybody can do this, and you're condoning that. And surely you don't want to send that -- that message to the public. I urge -- and -- and -- and I'm sorry, my friend. I urge a No vote on this, to maintain the integrity of the process by which saying -- by saying that there has to be minimum standards set and -- and responsibility. The other thing that you have to understand, lawyers are required to carry malpractice insurance. So that, if they do mess up, you can go after them for the mistake they made. Nothing in this bill requires these nonlawyers to carry any kind of insurance. So I -- I urge a No vote.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further -- further discussion? Senator Shaw.

SENATOR SHAW:

Thank you. I just wanted to make a couple of points in terms

176

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

of -- probably piggybacking on what Senator Clayborne had said. All over Cook County today, there is outreach programs. All over Cook County. And some of you-all have heard about these outreach programs - those of you who live in Cook County. And citizens are urged to come to these outreach programs. They're being set up at village -- village halls, churches, everywhere in Cook County, where that -- and they are instructed on the leaflet that you do not need a lawyer to participate in this program. All you have to do is come as a homeowner, fill out the application, and bring the documentation that you are instructed to bring. That's all you need. I know that to be a fact because I have participated in a number of 'em in my own township, Thornton Township, because the taxes is outrageous out there. And, certainly, I'm glad to see a board that'll have a open-door policy, such as this board has, where that they are coming to the community and opening the doors, opening the doors to the board of review, where that the little taxpayer who cannot afford a lawyer can come in there and fill out

that application and then the board makes it on the basis of the evidence that's presented before that board. And sixty percent -- from my understanding, sixty percent of the people who fill out an application for a reduction gets a reduction. That's the program in Cook County by this board of review. I don't know what it is in any place else in Cook -- in Illinois, but I do know that's what it is in Cook County under the board of review. And certainly, for years, you never heard of the board of review -- the old board of appeal. But today, in every community from Evanston to the west side, to the south side, to the north side, all over Chicago, the inner city, they -- they have these outreach programs. And for someone to get up and tell you that you need a lawyer to do this and this is justification where that a nonlawyer should come in and represent the taxpayer, the taxpayer don't need no lawyer to represent him. In the flyer that they put out -- and

177

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

anyone that don't believe 'em, have 'em to fax you a flyer that they put out in any community all over Cook County. And that's on the flyer. Sixty percent of 'em. This is a bad bill and it's a bad concept, and it's misleading. I urge a No vote.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? Senator Parker.

SENATOR PARKER:

Thank you, Madam President, Ladies and Gentlemen of the Senate. I used to be a township assessor in Northfield Township, and we dealt with the assessor's office and with the board of appeals. There's many reasons why people go to the board of appeals, and sometimes, often, because they just missed the opportunity with the assessor's office. I happened to run for the Board of Tax Appeals back in 1982 and passed around a flyer on how you can appeal your real estate taxes and how you don't need an attorney to do it. And we found many, many times that people never knew they could appeal their taxes. They didn't do it because they couldn't afford an attorney. They didn't do it because the process wasn't open. The local townships in the suburban Cook County area offer a lot of help to local taxpayers on how they can do this process. I think it's good to open up the process to make it more open for the taxpayer and the consumer. If they want to use an attorney, fine. They don't need to if they don't want to do that. Give them that option. And I support the Senator's bill, and I hope that we have an Aye vote.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? Senator Viverito.

SENATOR VIVERITO:

I stand in favor of this bill as read -- as Senator Parker has just indicated. I, too, am a local township official for twenty-eight years. I served on the Cook County Zoning Board for nine years. We had some of the finest land appraisers come before

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

us who were not lawyers. A lot of people are confused. A lot of them think they have to have a lawyer, and it's only obvious that this will correct it. And I commend Senator del Valle for what he's doing here today. And I hope that every one of you will take consideration in this particular bill, because in Cook County a lot of people think we have to have a lawyer to make an appeal. That is absolutely wrong. And this is just the beginning of solving a lot of the problems, especially for people that don't understand the law. We don't have to be a lawyer to make an appeal. Thank you.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? Senator Hendon, for a second time.

SENATOR HENDON:

I apologize for rising a second time. I'll be very brief. But what a difference a day makes. Yesterday the gentleman to my right stood up and made an argument not to treat Cook County different from the rest of the State. Today he wants to rise and say treat Cook County different than the rest of the State. Well, you can't have your cake and eat it too. You can't have it both ways. Let's treat the residents of Cook County just like we do in St. Clair County and any other county in this State. I urge an

Aye vote.

PRESIDING OFFICER: (SENATOR KARPIEL)

If there's no further discussion, Senator del Valle, if you can beat that, close.

SENATOR DEL VALLE:

Thank you -- thank you, Madam President. I'll -- I'll try to be very brief here. But I have here the 1998 tax appeal hearing schedule at the Cook County Board of Review. On April 19th, a hundred and thirty-three attorneys filed for two thousand seven hundred and eighty-eight complaints. That amounted to three hundred and ninety-eight hearings per hour. Three hundred and

179

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

ninety-eight hearings per hour. Well, I think some lawyers are spending very, very little time doing this work and making a whole lot of money because of these -- this exclusivity. I'm not against lawyers making money. I've got lots of good friends who are lawyers. But what we're talking about here in this bill is that if the taxpayer wants to have a lawyer represent them, they can do so; if a taxpayer decides that they want an expert, a tax consultant, to represent them, an accountant who, in many, many cases, knows a whole lot more about taxes than the lawyer does,

then they have the right to do so. If a tax consultant can represent a taxpayer before the Cook County Assessor at that step, then what's wrong with being able to represent that same taxpayer before the board of review? That's all we want. And I ask for you to support this, because it does open up the process. And, Senator Clayborne, you mentioned the word "integrity". There is no integrity right now. There is no integrity. That's the direction we want to go in. We want to establish credibility for that board of review, and we want integrity there. There is no integrity when there is a direct correlation between campaign contributions and assessment decreases. There is no integrity. So let's move in the right direction. Thank you.

PRESIDING OFFICER: (SENATOR KARPIEL)

The question is, shall Senate Bill 1276 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On this question, there are 46 voting Aye, 10 voting Nay, 2 voting Present. And Senate Bill 1276, having received the required constitutional majority, is declared passed. Senate Bill 1302. Senator Geo-Karis. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1302.

SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Madam President, Ladies and Gentlemen of the Senate, this amends the Township Code relating to township open space bonds. Provides that the total amount of bonds to be issued may not exceed five percent of the valuation of all taxable property, and provides that the amount of bonds to be issued shall be set forth in the referendum question as a dollar amount. And now it's -- it's not less than a percentage. So we want a dollar amount, and I ask for favorable consideration.

PRESIDING OFFICER: (SENATOR KARPIEL)

Is there any discussion? If not, the question is, shall Senate Bill 1302 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On this question, there are 57 voting Aye, none voting Nay, none voting Present. And Senate Bill 1302, having received the required constitutional majority, is declared passed. Senate Bill 1338. Senator Maitland. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1338.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Madam President, Members of the Senate. Senate Bill 1338, as amended, permits the Treasurer to -- to deduct fees by third-party unclaimed property examiners from the

181

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

property recovered by the examiners for the State during examination of holders located outside of Illinois, and payment will be based upon a percentage of the property recovered during examination. Such percentage will be set by the administrative rules procedure. This was a request of the State Treasurer. Normally what happens here is we appropriate this money and there is as much as a yearlong delay in the -- the recoverers getting their money. And a number of the states do this. And the Treasurer believes this is a good -- a good way to do it, and I would seek your support.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Smith, for what reason do you rise?

SENATOR SMITH:

Please do me the courtesy, I was writing here and I didn't

pay my dues of punching that button on Senate Bill 1302. Will you please vote me Aye?

PRESIDING OFFICER: (SENATOR KARPIEL)

The record shall -- shall so reflect.

SENATOR SMITH:

Thank you. Thank you.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Madam President. I -- I, too, rise to clarify the record. It was my intention on Senator del Valle's bill to vote Yes, and inadvertently pressed the red button.

PRESIDING OFFICER: (SENATOR KARPIEL)

The record will reflect that intent. Is there any discussion on -- on Senate Bill 1338? If not, the question is, shall Senate Bill 1338 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary.

182

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

On this question, there are 59 voting Aye, none voting Nay, none voting Present. And Senate Bill 1338, having received the

required constitutional majority, is declared passed. Senate Bill 1339. Senator Burzynski. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1339.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Madam President. Senate Bill 1339 does three things: Changes program requirements from clock hours to credit hours for cosmetologists; expands the definition of cosmetology; and clarifies penalties relative to continuing education requirements. There was also Committee Amendment No. 1 added in committee dealing with the number of times a person can take their test. Be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR KARPIEL)

If there's no -- no -- discussion? Senator Watson.

SENATOR WATSON:

Yes. Thank you, Madam President. A question of the sponsor.

PRESIDING OFFICER: (SENATOR KARPIEL)

He indicates he'll yield.

SENATOR WATSON:

I apologize for slowing the process down here, but I've gotten a lot of calls from barbers and cosmetologists, beauticians, who think that the whole continuing education program is a farce and it's nothing more than a means by which community colleges and some private sector people can rip off those people who are

attempting to get the -- the continuing education. I guess my question is, what are we doing here? Are we expanding that now so

183

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

that more people are going to be required, or what are we actually doing here, Senator?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. That's a very good question. No, we're not necessarily expanding the number of hours for -- for continuing education. And in fact, Senator, I would like to indicate to you that I agree with many of your constituents that call with concerns relative to continuing education. If I continue as Chairman of Licensed Activities, what I'd like to do is do a complete review of all continuing education requirements for all professions that we license in the State of Illinois. I think sometimes people are in -- but, no, this does not expand the number of hours. It changes, however, from clock hours to credit hours. In the past, where somebody would have to sit in class for three clock hours, now it would be three credit hours, rather than clock hours.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? If not, the question is, shall Senate Bill 1339 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 59 Ayes, no Nays, no Members voting Present. Senate Bill 1339, having received the required constitutional majority, is declared passed. Senate Bill 1382. Senator Silverstein. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1382.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

184

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

Senator Silverstein.

SENATOR SILVERSTEIN:

Thank you -- thank you, Mr. President. This bill requires that persons convicted of felony criminal defacement of property shall receive a minimal fine of five hundred dollars and shall be ordered to reverse -- reimburse the victim for the actual cost for

restoring the property that was defaced.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the question is, shall Senate Bill 1382 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 59 Ayes, no Nays, no Members voting Present. Senate Bill 1382, having received the required constitutional majority, is declared passed. Senate Bill 1393. Senator O'Malley. Senator O'Malley. Top of page 6. Senate Bill 1439. Senator Watson. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1439.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Watson.

SENATOR WATSON:

Yes. Thank you very much, Mr. President. This legislation extends the sunset date for the research and development tax credit to, now, 2010. The original legislation made it 2014. There was some concerns by the Revenue Committee and we amended the bill, and it is now 2010.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

question is, shall Senate Bill 1439 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 59 Ayes, no Nays, no Members voting Present. Senate Bill 1439, having received the required constitutional majority, is declared passed. Senate Bill 1440. Senator Lauzen. Senator Lauzen. Senate Bill 1446. Senator O'Malley. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1446.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1446, as amended, prohibits the State Board of Education from making audit adjustments for alternative education programs for fiscal years 1999 through 2002 based upon the alternative education program's failure to provide the minimum clock hours for the purposes of claiming general State aid. This will give the State Board of Education the time to review this issue and come up with a way to deal with this issue. I'll be

happy to answer any questions there may be.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Lisa Madigan.

SENATOR L. MADIGAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I would like to point out, as I did during committee this morning, that there are some concerns about this bill and one of them is that there are school districts that are willfully not providing five hours of education to students in alternative schools, where

186

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

that is what the statute in the School Code of the State of Illinois requires. I understand that Senator O'Malley is supporting this bill because there are numerous school districts that have failed to do this, but I think that you have other school districts that have been able to provide five hours of alternative education for students, and that it is unfair that there are certain school districts that are not doing this, are willfully not doing this, and are not going to face any sort of financial circumstances to their detriment because of this. And therefore I have some concerns about this policy that we seem to be pursuing by supporting this legislation.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. You know, every time you turn around on this education area it seems like we always devise some special way for some special school districts to get around the -- the statute. In this one here, we are saying that the State Board will not make any audit adjustments to -- to general State aid claims paid in fiscal years '99, 2000, 2001 and 2002 based upon, as Senator -- O'Malley has indicated, the claimant's failure to provide a minimum of five clock hours of daily instruction to students in an alternative education program. What do I say to those school districts who are, in fact, meeting the five clock hours per day, who are doing everything that they're supposed to be doing? Am I -- am I supposed to be saying to them that, don't worry about it now? From now on you don't have to meet the five clock hours any longer either? That somehow or other the State Board now won't audit you? That you are held harmless by virtue of anything you are doing? And I made a reference also in the -- in the committee this morning about a little, small school district in my area by

187

the name of Brussels. Brussels came in. It was a regular school system. The State Board came in, did an audit, discovered that four students hadn't been receiving the five clock hours as they were supposed to, penalized them sixteen thousand dollars in their audit. Sixteen thousand dollars is a "make-or-break" for them. We asked for some leniency. We asked that they perhaps provide at least a two- or three-year period for which they would pay the sixteen-thousand-dollar penalty. State Board said no. But, no, here we are. We can come in. We can start -- we can start saying that it's okay for school districts to have a hundred and thirty-one thousand or thirty-one thousand or seventy-six thousand or two hundred and ninety-two thousand or sixty-four thousand dollars in -- in adjustments simply because of the fact that the -- they're in the alternative school. This is not a right policy. This is not good policy for the State of Illinois, and we ought to take a look at what we are doing here.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Yeah. Just a couple questions of the sponsor.

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator.

SENATOR RAUSCHENBERGER:

I guess it's clear to me, you know, I -- and I would understand why we would be exempting, perhaps, from audit Fiscal Year FY'99 and Fiscal Year 2000, and maybe even arguably - you know, the State Board does move glacially - Fiscal Year 2001. But

could the sponsor maybe talk a little bit about why they're projecting forward further than the fiscal year we're contemplating right now?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Burzynski. I'm sorry. Senator O'Malley.

188

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

SENATOR O'MALLEY:

Thank you, Mr. President. Senator Rauschenberger, the State Board has requested through 2002. They intend to introduce corrective legislation in January of the coming year. I know where -- I don't know where that'll end up putting us in the appropriation process, but I know it's their intention to get something done within our next legislative Session.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Well, many things around here, at least in my experience as an Appropriation Chairman, trigger on deadlines. And I guess I'm just a little concerned. If you put the -- the deadline for them to have to do something three more years out, I don't think they'll -- there's as much motivation for us to come to a decision

on what to do about alternative education. My wife teaches in a program in Elgin. I'm familiar with some of the challenges they have, but I guess I'm uncomfortable with the exemption lasting so long.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Further discussion? Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. I just rise in support of this bill. As we all know, the State has mandated all types of education over the last several years, including changes in how we help troubled students and students who are unable to get their education through a regular process and have been asked to leave those schools. Alternative schools have really met a need. They also meet a niche in time restraints, in time that students can spend in school. Consequently, we have a little bit of a problem right now relative to some of the newer schools, how they interact with the regular schools and the school State aid formula. All

189

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

Senator O'Malley's bill is really trying to do and what he's trying to do is say: Give us a time frame that we can work towards a funding mechanism and something that's fair to everyone

that's involved. And I would just rise in support of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? If not, Senator O'Malley, to close.

SENATOR O'MALLEY:

Well, I -- I would seek your support, but I also -- just picking up on Senator Rauschenberger's comments, I appreciate, Senator Rauschenberger, that -- that you want to keep a short leash on them. You know, right now we are negotiating to 2001, in effect. And -- and so if they introduce something the following year, it's going to be taken into consideration in that appropriation process. So I -- you know, maybe if it's too -- if it's too long, maybe it has to be reconsidered and -- and taken a more serious look at it in the House with respect to that particular element. But I think it is a sincere effort by the State Board, as Senator Burzynski has pointed out, to address a need that requires a solution, and we don't have the answer today for it. But I appreciate your support, and request...

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall Senate Bill 1446 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 44 Ayes, 14 Nays, no Members voting Present. Senate Bill 1446, having received the required constitutional majority, is declared passed. Senate Bill 1513. Senator Geo-Karis. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1513.

(Secretary reads title of bill)

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, this bill, as amended by the committee, places a maximum cap on a no-bid contract which can be let in the event of an emergency affecting the public health or safety of the North Shore Sanitary District, for example, and the Board may contract for work without competitive bid up to two hundred and fifty thousand dollars. That's the way the amendment came out of the committee today, and I ask for a favorable...

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the question is, shall Senate Bill 1513 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. ...question, there are 58 Ayes, no Nays, no Members voting Present. Senate Bill 1513, having received the required constitutional majority, is declared passed.

Senate Bill 1577. Senator O'Malley. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1577.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, Senate Bill 1577, as amended, creates the Southwest Suburban Railroad Redevelopment Authority. It includes now, with the

191

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

amendments, twenty-two communities, of which there were five original. There are a number of Senators here in the Chamber who I've worked with, including Senators Shaw, Mahar and Viverito, to make sure the communities that they were interested in in their districts would be able to avail themselves of this effort as well. And I'd be happy to answer any questions you have, and I would seek your support.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Discussion? If not, the question is, shall Senate Bill 1577 pass. Those in favor will vote Aye. Opposed, Nay. Voting -- voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 58 Ayes, no Nays, no Members voting Present. Senate Bill 1577, having received the required constitutional majority, is declared passed. Top of page 7. Senate Bill 1613. Senator Petka. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1613.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Petka.

SENATOR PETKA:

Thank you very much, Mr. President, Members of the Senate. Senate Bill 1613 is as its -- as its name on the board. It provides for an alternative care for those who are suffering from the very dreaded disease of Alzheimer's. After vigorous discussion when this bill was presented to the Executive Committee, amendment was placed on that legislation which, in my opinion, improved the bill and answered some of the concerns that were raised. It came out without a dissenting vote, and I would

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

urge its adoption. I'll answer any questions.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. I have a question.

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator.

SENATOR DEL VALLE:

Senator, will -- individuals who are Medicaid, will they be able to be a part of this -- this facility?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Petka.

SENATOR PETKA:

Senator, I've been informed by staff that, under current law, the facility would have to apply for a -- a Medicaid waiver, but there's no guarantee that it would be granted.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator del Valle.

SENATOR DEL VALLE:

Apply for a Medicaid waiver. In other words, an individual who cannot afford -- whose family cannot afford to cover the cost of a placement in this residential facility and who would have to rely on -- on Medicaid, that individual would not be assured an opportunity to be a part of that facility?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Petka.

SENATOR PETKA:

There's no guarantee, Senator. We -- they can try, but there's no guarantee that that'll happen.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator del Valle.

SENATOR DEL VALLE:

193

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

Why -- why -- how many -- how many slots are we talking about?
How many beds are we talking about?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Petka.

SENATOR PETKA:

No more than one hundred.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator del Valle.

SENATOR DEL VALLE:

Of the one hundred beds, it's possible that not one bed would be filled by someone who is on Medicaid.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Petka.

SENATOR PETKA:

That is very similar to the rest of the models that we have under the Alternative Health Care Delivery Act.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there further discussion? Senator Petka, do you wish to close, sir?

SENATOR PETKA:

I just urge this bill's adoption.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall Senate Bill 1613 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. ...question, there are 57 Ayes, no Nays, 1 Member voting Present. Senate Bill 1613, having received the required constitutional majority, is declared passed. Senate Bill 1653. Senator Mahar. Senator Mahar. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1653.

194

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President, Members of the Senate. The key provisions of Senate Bill 1653 are as follows. It reinstates the Illinois Commerce Commission's authority to seek an injunction in circuit court against those who violate the Public Utilities Act, Commission rules and orders. Secondly, it brings civil penalties for violations of the Public Utilities Act up to what is commensurate, what we now have in telecom, as well as alternative retail electric suppliers. And third, it allows the Commission to recover costs for investigations undertaken as a result of power outages. This applies to Commonwealth Edison's service territory only. Other -- and this does not apply to -- telecommunications at all, only to the electric utility industry. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the question is, shall Senate Bill 1653 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 57 Ayes, no Nays, no Members voting Present. Senate Bill 1653, having received the required constitutional majority, is declared passed. Top of page 8. Senate Bill 1657. Senator Donahue. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1657.

(Secretary reads title of bill)

3rd Reading of the bill.

195

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Donahue.

SENATOR DONAHUE:

Thank you very much, Mr. President, Members of the Chamber. What Senate Bill 1567 {sic} does is change -- make some changes with the Illinois Health Care Cost Containment Council. If you remember back in 1983, when we created this Council, we wanted to collect data from our hospitals and various health care providers to find out what was going on in health care. Now that we've seen -- it was basically inpatient data. Now that we're seeing the transition to outpatient data, what this bill does is to allow the Health Care Cost Containment Council to collect outpatient data. It also permits electronic reporting from -- for outpatient data. Clarifies some of the agencies finance data collection responsibilities. Deletes obsolete provisions from the statutes. And in the process of -- collecting outpatient data, we have had to include the ambulatory surgicenters, and in the process of

doing that, we needed to change the configuration of the Council and the members of the Council. And how we have done this now, there are two members to represent the Illinois hospitals, at least one of which must represent a small rural hospital, two members that represent physicians, and one member that will represent an ambulatory surgical center. The other members of the Council are providers -- not providers, they are consumers. And so, they outnumber the providers, and I think that's important. Other than -- oh, we've also changed -- we included the dates under which the collection data will start: January 1st of 2001. And out -- full outpatient data collection will begin on January 1st, 2002. I would ask for your support.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

196

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

Yeah. A couple quick questions of the sponsor, if she will permit me.

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates she will yield, Senator.

SENATOR RAUSCHENBERGER:

Is this an administration bill?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Donahue.

SENATOR DONAHUE:

Yes.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

I -- I would -- is -- I think we're setting a precedent. Is this the first time we've ever agreed to pay for data from providers? As I understand it, in this bill we're paying the -- 'cause my understanding was, in the past, the hospitals were mandated to give it to us, and under this bill, for whatever reason, the administration is agreeing to pay for the data. And I think that costs about three hundred and seventy-five thousand.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Donahue.

SENATOR DONAHUE:

I apologize to the -- to Senator Rauschenberger, but I'm not sure of the answer to that, but we can certainly find that out in about, hopefully, fifteen to twenty minutes.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

One -- just the last thing is, when -- when we originally formed -- and the -- the reason I asked whether this was an administration bill. The reason we originally formed the Illinois

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

Health Care Cost Containment Council, at the time about forty percent of hospital charges were being paid by individuals. Today the vast majority - over ninety percent of all hospital charges - are now either paid by third-party payers or from managed care plans. So the need to collect inpatient data on costs has diminished dramatically. I would argue, for the most part, outpatient charges now mirror the same set of situations. And just -- it has been -- I just want the Body to know that some people would argue today that we don't need any longer to spend six million dollars in a time when we're -- and that maybe this is one of those agencies who, if we limit their mission growth, we may want to revisit at some point and decide whether this kind of data collection really has any customers left except the insurance industry and the hospitals. So I just wanted to point that out. It's not a question, but I wanted the -- the sponsor to be aware.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? If not, Senator Donahue, do you wish to close? Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. Actually, it says "Expenses. The Council or designated corporation, association or entity shall

establish a procedure by which it will pay hospitals...for submitting data..." That does not -- that is the old language, so we have done that already for the -- the entire existence of the -- of the Council. So this is nothing new. We're just adding ambulatory surgicenters to their ability to collect data. I think that this is important. I would question a little bit the previous speaker on where the data is used and how it's used. It's used by a number of entities, both public and private. I think that to get a handle on what's going on in outpatient services is important to -- to the whole industry and how we deal with it. So I would ask for your support.

198

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall Senate Bill 1657 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 55 Ayes, 1 Nay, no Members voting Present. Senate Bill 1657, having received the required constitutional majority, is declared passed. Senate Bill 1658. Senator Robert Madigan. Senator Robert Madigan on the Floor? I'm sorry. Okay. Senate Bill 1672. Senator

Klemm. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1672.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Klemm.

SENATOR KLEMM:

Yeah. Thank you very much, Mr. President. As I explained earlier today, Senate Bill 1672 provides that the Department of Natural Resources shall study the development, use, and management of groundwater resources in the State and give a report to the Governor and the General Assembly before the end of the year. I believe they're already working on this proposal. It's a very interesting and a very important development on groundwater quality and the preservation of it. So I ask for your support to continue the process. Thank you.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? If not, the question is, shall Senate Bill 1672 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 57 Ayes, no Nays, no Members voting

SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

Present. Senate Bill 1672, having received the required constitutional majority, is declared passed. Senate Bill 1674. Senator Peterson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1674.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President. Senate Bill 1674 is a reintroduction of Senate Bill 659 that passed out of this Chamber 58 to nothing and over to the House, and stalled in the House. This bill incorporates technical changes suggested by the Illinois Department of Revenue. This bill exempts prepaid telephone calling arrangements from the seven-percent Telecommunications Act -- tax rather, and instead makes them subject to the 6.25 sales and use taxes. It holds schools harmless for funding where those monies were intended as part of the education funding reform. It allows the City of Chicago to exempt from its local telecommunications excise tax and its municipal infrastructure maintenance fee all charges for the inbound toll-free telecommunications service commonly known as 800, 877, 888 or similar services. The bill itself lets the tax be -- on the prepaid card be paid when you buy the card, instead of piecemeal as you make each call. Down the road, the State probably - in

other states where this has taken place - will probably get anywhere from three hundred to four hundred thousand dollars more in revenue. Ask for your support of Senate Bill 1674.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the question is, shall Senate Bill 1674 pass. Those in favor will

200

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 59 Ayes, no Nays, no Members voting Present. Senate Bill 1674, having received the required constitutional majority, is declared passed. Senate Bill 1680. Senator Peterson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1680.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President. Senate Bill 1680, as amended, has

quick-take powers for numerous municipalities: City of Northlake, the Fox Metro Water Reclamation District, Melrose Park, Stone Park, Village of Barrington, Elmwood Park, Franklin Park, Forest Park. There was one put in for St. Charles, but I understand that that's going to be withdrawn or -- or worked on in the House. There was some problems with it. Ask for your support of Senate Bill 1680, as amended.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the question is, shall Senate Bill 1680 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 36 Ayes, 15 Nays, 5 Members voting Present. Senate Bill 1680, having received the required constitutional majority, is declared passed. Senate Bill -- bottom of page 11. Senate Bill 1852. Senator Weaver. Read the bill, Mr. Secretary.

SECRETARY HARRY:

201

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

Senate Bill 1852.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. This bill would allow the trustees of the University of Illinois to create a research and technology park. Very similar to the Medical Center Commission activities in Chicago. Anyone has any questions, I'll be happy to try to answer them.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Welch.

SENATOR WELCH:

I have a question for the sponsor.

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator.

SENATOR WELCH:

Senator Weaver, do you anticipate an appropriation to go -- do you anticipate an appropriation to go along with this bill this year?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Weaver.

SENATOR WEAVER:

No. Most of this is private sector development.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Cullerton.

SENATOR CULLERTON:

Would the sponsor yield?

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator.

SENATOR CULLERTON:

202

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

Senator, is this -- you indicated this is patterned after an area up in Chicago. Was that the Medical Center district? That's a -- I believe, a Commission that was started in 1948. It covers a certain area on the -- in the City of Chicago and -- and it has broad powers, including quick-take powers and -- and the like. Is this lifted from that statute, or is it a much smaller effort?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Weaver.

SENATOR WEAVER:

No. It was first thought to probably amend that Section, but this is totally a new Section with none of those powers, Senator Cullerton.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Cullerton.

SENATOR CULLERTON:

Well, maybe you can tell me a little bit about what the powers are that we are giving 'em by creating this statute.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Weaver.

SENATOR WEAVER:

Well, it would allow the trustees to enter into leasing arrangements with private corporations, contracting authority, some financing authority, tenant services, the lease durations, special exemptions from the Purchasing Act on, basically, a turnkey operation for design and built to the specifications needed for a tech center.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Cullerton.

SENATOR CULLERTON:

And what does it do with regard to the -- the current statute with regard to the Procurement Code? Does it change the Procurement Code any or exempt anyone from the current Procurement

203

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

Code?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Weaver.

SENATOR WEAVER:

This would exempt contracts, leases for the University of Illinois business research and development park from the ten-year

contract duration cap. Inasmuch as private capital is building and building, these leases should be extended to help pay for the original cost of construction. The leases would be limited to forty years. At the end of that term, the property would -- would revert back to the State of Illinois.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there further discussion? If not, Senator Weaver, you wish to close?

SENATOR WEAVER:

Appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall Senate Bill 1852 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 59 Ayes, no Nays, no Members voting Present. Senate Bill 1852, having received the required constitutional majority, is declared passed. Bottom of page 12 is Senate Bill 1923. Senator Weaver. Read the bill, Mr. Secretary.

SECRETARY HARRY:

...Bill 1923.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Weaver.

SENATOR WEAVER:

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

Thank you, Mr. President. This would allow the University of Illinois to sell three properties and retain the money from those properties in order to buy contiguous acreage for the expansion of the South Farms on the Urbana campus. These properties are in Kankakee County, Champaign County and Cook -- City of Chicago. In the City of Chicago, the -- the returns from the sale of this property would go to build warehouse space contingent to the Chicago campus. Anyone has any questions, I'll be happy to try to answer them.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the question is, shall Senate Bill 1923 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 59 Ayes, no Nays, no Members voting Present. Senate Bill 1923, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, that effectively concludes our work for the day. Senator Rauschenberger, do you have an announcement you'd like to make?

SENATOR RAUSCHENBERGER:

Again, although the hour is proceeding, I'd like to urge the Appropriation Members to go almost directly to the committee room.

We'll try to start in less than ten minutes from now. If we work diligently, we should be able to be done at a reasonable hour, as I -- I've been reliably informed that Senator Donahue is negotiating with the Colonel to provide emergency provisions for the vault room. So I'd appreciate people making their way down to the -- Room 212.

PRESIDING OFFICER: (SENATOR MAITLAND)

Let me -- before we adjourn, let me just let you know that tomorrow morning we will go in Session at 9 a.m. 9 a.m. Final

205

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

day for the passage of 3rd Reading. Resolutions, Mr. Secretary.

SECRETARY HARRY:

Senate Resolution 302, offered by Senator Clayborne.

It's a death resolution, Mr. President.

PRESIDING OFFICER: (SENATOR MAITLAND)

Consent Calendar. Senator Demuzio, for what purpose do you arise, sir?

SENATOR DEMUZIO:

Yesterday in checking the roll call on Senate Bill 1400, I did push my button and the roll call didn't -- apparently did not reflect I voted. Had I had the switch operating effectively, or

had been here, or whatever, I would have -- record to indicate that I would have voted in the affirmative. Thank you.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Demuzio, the record will so reflect your intent.
Introduction of Bills.

SECRETARY HARRY:

Senate Bill 1951, offered by Senator Mitchell.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Message from the House.

SECRETARY HARRY:

Message from the House by Mr. Rossi, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to wit:

House Bills 2985, 3037, 3236, House Bill 3840, 3901, 3981, 4021, 4022, 4093 and 4161.

All passed the House, February 24th, 2000.

PRESIDING OFFICER: (SENATOR MAITLAND)

House Bills 1st Reading.

ACTING SECRETARY HAWKER:

House Bill 1853.

(Secretary reads title of bill)

House Bill -- excuse me. That was offered by Senator Philip.

House Bill 1854, offered by Senator Philip.

(Secretary reads title of bill)

House Bill 2979, offered by Senators Karpiel and Dillard.

(Secretary reads title of bill)

House Bill 2101, offered by Senator Lightford.

(Secretary reads title of bill)

House Bill 2629, also offered by Senator Lightford.

(Secretary reads title of bill)

House Bill 3082, offered by Senator Bomke.

(Secretary reads title of bill)

House Bill 3112, offered by Senator O'Malley.

(Secretary reads title of bill)

House Bill 3114, offered by Senator Dudycz.

(Secretary reads title of bill)

House Bill -- pardon me, 3126, offered by Senator Sullivan.

(Secretary reads title of bill)

House Bill 3169, offered by Senators DeLeo and Emil Jones.

(Secretary reads title of bill)

House Bill 3180, offered by Senator Dudycz.

(Secretary reads title of bill)

House Bill 3205, offered by Senator Radogno.

(Secretary reads title of bill)

House Bill 3256, offered by Senator Larry Walsh.

(Secretary reads title of bill)

House Bill 3309, offered by Senator Parker.

(Secretary reads title of bill)

House Bill 3315, offered by Senator Demuzio.

207

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 24, 2000

(Secretary reads title of bill)

House Bill 3355, offered by Senator Sullivan.

(Secretary reads title of bill)

House Bill 3435, offered by Senator Sieben.

(Secretary reads title of bill)

House Bill 3455, offered by Senator Sullivan.

(Secretary reads title of bill)

House Bill -- pardon me, 3548, offered by Senator Parker.

(Secretary reads title of bill)

House Bill 3636, offered by Senator Thomas Walsh.

(Secretary reads title of bill)

House Bill 3861, offered by Senator Robert Madigan.

(Secretary reads title of bill)

House Bill 3880, offered by Senator O'Daniel.

(Secretary reads title of bill)

House Bill 4092 -- offered by Senator Demuzio.

(Secretary reads title of bill)

And House Bill 4280, offered by Senators Robert Madigan,
Donahue and DeLeo.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there any further business to come before the Senate? If
not, Senator Geo-Karis moves that the Senate stand adjourned until
the hour of 9 a.m., Friday, February 25th, 2000. Senate is
adjourned.